# The Washington Monthly

JULY/AUGUST 1991/$3.50

James Fallows on P. J. O'Rourke and the right-wing bad boys; Jason DeParle on the *Green Book*

Why aren't pro-lifers and pro-choicers pro-contraception?

A repair guide for America: 16 steps to national sanity that don't cost a cent

How property tax assessments let the rich screw the rest of us

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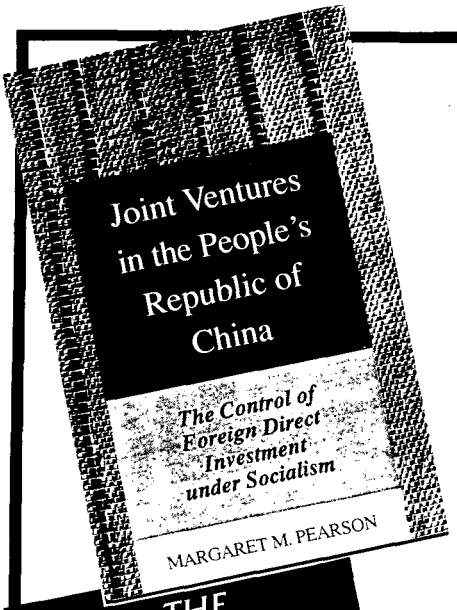


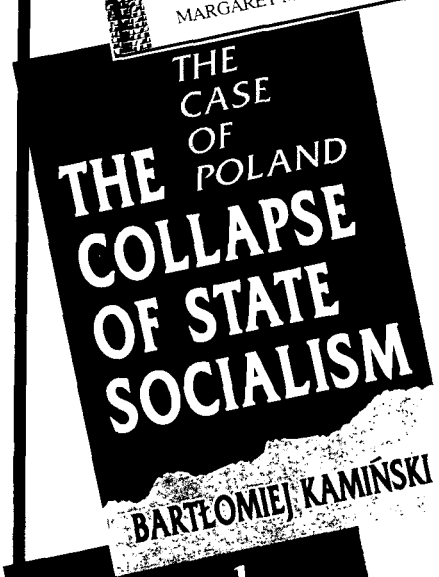


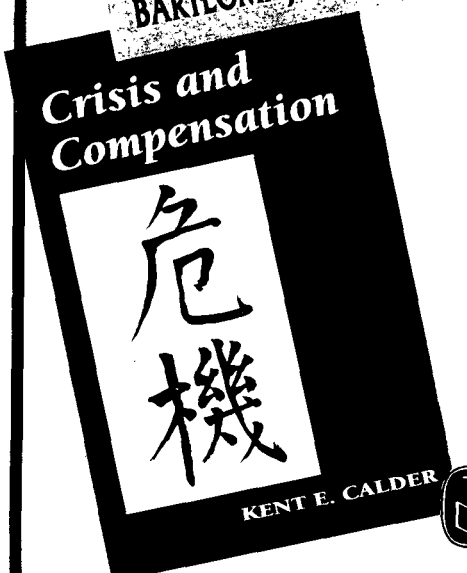


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# The Washington Monthly

Volume Twenty-Three, Numbers 7 and 8 July/August 1991

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# LETTERS

## The ego has landed

I am something of a romantic. I mean that in the classical sense. I believe in rules of ethics and behavior. I think that such rules apply to all segments of our society—and should be even more strict for those who bear a public trust. As journalists, you bear a public trust that demands honesty and objectivity in return for which the public is supposed to treat you and your fellow professionals with respect.

Now, about 18 months ago you did an article on me, my books, and my views on (among other things) the efficacy of American weapons and the people who operate them ["Paperback Fighter," Scott Shuger, November 1989]. Your piece was most uncomplimentary.

I submit, sir, that my predictions and observations on the quality of our people and our weapons were, if anything, conservative. During the Gulf war, the M1A1 tank proved admirably reliable and supremely deadly. The F-117A stealth fighters all returned home without so much as a nick (in *Red Storm,* some were actually lost). The precision-guided bombs we dropped established a hit-probability of over 90 percent (the contractors only promise 85 percent or so). The Apache helicopter and its associated systems performed awesomely. The F-15E Strike Eagles did the same—and used laser-guided bombs so effectively that one scored an air-to-air kill with a GBU-27 (the target was a hovering helicopter). I could go on, but the short version is that you would be very hard-pressed indeed to find something that didn't work. The empirical data is directly contrary to the theme and content of your polemic targeted at me. Who is it, sir, who missed the mark?

I hope this letter does not sound like gloating; it is not meant to be taken that way. You were wrong. I make mistakes, too—who doesn't? The important thing about mistakes is that you learn from them.

I'm not going to ask you to write a retraction of what you said about my literary abilities. If you don't like the way I write, plenty of other people do. What I do ask is that you give a fair shake to the Americans who make and operate the systems that you so thoroughly—and wrongly—trashed. I can defend myself as the occasion demands since I have the ability to reach large audiences at any time of my choosing. A private in the Army has no such ability, nor does some blue-collar union member building tanks for General Dynamics. The war against Iraq seems to prove that all of these nameless people are deserving of more respect than the press has given them, and in their name I appeal to your sense of fair play.

Admission of error is not a sign of weakness; it is a sign of strength, generosity of character, and integrity. If you're as good a journalist as you claim to be, you have all of those qualities. Prove it.

TOM CLANCY
Huntingtown, Maryland

*The author replies:*

For a man trying to get credit for being a careful writer, Tom Clancy is not a very careful reader: The point of my piece was not that our high-tech weapons always don't work; it was that they don't always work, and so human factors like judgment and planning in war must carry the day. This is the truth that Clancy's books gloss over, and that the Gulf war reconfirms. Where in Clancy's books do a high percentage of U.S. combat deaths come from friendly fire? Where does he describe a bombing mission that kills 400 civilians by mistake? And how can Clancy convince us that the U.S. would seamlessly triumph in a war against a bellicose Soviet Union when the aforementioned serious errors occurred in single-front fighting against a country whose population is only 6 percent of ours, whose GNP is 1 percent of ours, and who we outspent on military hardware 50 to 1?

Furthermore, it's the worst kind of demagoguery to suggest that I owe an apology to the Americans who operate our weapons systems. I have never "trashed" our military personnel. Indeed, my basic critique of Clancy is that his adolescent fascination with weapons makes him insensitive to the human element in warfare. It's because I care about military people—I was, unlike Clancy, once one of them myself—that I want to protect them from shoddy equipment and false expectations about war. In refusing to be frank about the former, Tom Clancy continues to set soldiers up for the latter.

## Austintatious

"Pretty Worthless" [Beth Austin, May] says, "Good relationships require moral judgment of the highest order." Okay. Sure. Good movies require cinematic judgment of the highest order. Good criticism requires recognizing the differences.

While well-meaning people may observe at length the decay of our society and decry those who depict it in film, society is always in decay and in rebirth. Films of the thirties spoke to the moral issues of the time—and so does *Home Alone*. America's parents have been out to lunch for a decade, and the kid *is* "home alone"—learning without help. "Big" people are fooling around and fooling themselves. They call it work, but they, too, are out to lunch.

The balance of family life and responsibility may be exciting, but perhaps it is too rare to be noticed in Hollywood or elsewhere.

F. D. WILLIAMS
Tucson, Arizona

Is the title "Pretty Worthless" a reference to today's movies or your own in-house assessment of Austin's article? I would consider her imbecilic ranting an insult to my intelligence no matter where it appeared; that it erupted in my beloved *Washington Monthly*—as a cover story, no less—is truly disheartening.

Austin is a reactionary curmudgeon yearning for a past that never really existed. Worse, it's precious hard to tell if she actually saw some of the movies she so stridently attacks. Her assessment of *Big*, for example, is just plain idiotic. Would she have preferred it if the 12-year-old child (magically transformed into an adult) had chosen to aban-


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don his childhood in favor of 12-hour days in the office? And I'm quite certain Austin must have been drunk or asleep through most of *Dead Poets Society*. On but one simple note: The son's suicide was prompted not by the prospect of medical school, but rather by the father's vow to ship him off to a military boarding school within the week.

But I'm nit-picking here. Clearly, Austin doesn't give two hoots about honestly assessing current films; she's obsessed by her greater purpose, which is to argue that "they don't make 'em like they used to." But against her five select films from the good old days, I could stack 15 or 20 films from the past 15 years. From *Little Big Horn* to *Dances With Wolves*, from *The Accused* to *Glory* to *The Long Walk Home*, Hollywood these days *does* make films like it used to.

Austin's pet theory simply does not stand on its merits. I'm disappointed her dreck made it into the *Monthly*.

ROGER KEELING
Santa Cruz, California

Has your publication lost its collective mind? Has greed or some form of imbecility born of intellectual incest destroyed your ability to think?

I can only surmise one of the above after seeing the cover of your May issue. Anyone—or any publication—that would use the word "worthless" in any proximity to a picture of Julia Roberts has left all reason behind.

G. P. MARTIN
Durham, North Carolina

## Med alert

I was saddened to see the *Monthly* join the ranks of mindless, clamoring anti-medicine media with David Greenberg's story ["Club Med," May]. The article is littered with errors of fact and analysis. To name a few:

➤Since your author was so interested in the problems associated with reporting negligent physicians, I was shocked to see no mention of the antitrust regulations that make it fearsome, if not totally impossible, for "policing" to occur within physician ranks beyond the mechanisms of state or local medical societies. I guess Greenberg never bothered to check the litigation histories of doctors who have been "denounced" by colleagues.

➤To suggest that private practitioners will not be covered by the Data Bank is completely misleading. The Data Bank is intended for use by hospitals in credentialing physicians. How many doctors in private practice do you know who don't have hospital privileges—or could survive without them?

➤To suggest that there are "real loopholes" in the system is to fail to understand the mission of the Data Bank. The bank is designed as a check on truly negligent or malpracticing doctors—not as a public gripe channel. It was established with an eye towards permitting true peer review in a climate once fostered in this country—a climate of "innocent until proven guilty." It is sad that the *Monthly* interprets a judicial review process as a way to gag the public.

MARINA EIN
Washington, D.C.

## Rebel nation

My thanks to Eric Alterman for his profile of *The Nation* ["Lord of the Gadflies," May]. Victor Navasky's statement that a magazine "should not come to power" now fully explains to me why *The Nation* has long conceded the field to those many magazines that have no such scruples.

JON ARNOLD
Chicago, Illinois

## Bank shots

I would like to make some corrections to Lynda Edwards's May article on the National Bank of Washington ["With Friends Like These, Who Needs Loan Officers?"].

*Statement*: "But this time, when the loan officer asked Washington for [Finley, Kumble]'s 1986 financial statements as required, Washington said the statements weren't ready."

*Fact*: I never met the loan officer until November 1987, almost five months after the loan was made and disbursed. Further, during the entire loan approval process, I never discussed this loan request with any officer or director of NBW. Moreover, no request was ever made of me regarding the furnishing of financial information in connection with the approval of this loan.

*Statement*: "The loan officer thought this was odd and stood up to the director. Without the statements, he said, there was no way NBW could make the loan. Washington went straight to Hodges. 'He said the statements were coming,' Hodges recalls. 'They were at the printers being redone or something.'"

*Fact*: I did not know the loan officer during the loan approval process and never spoke to him about any matter or the furnishing of financial statements. Further, I never went to Mr. Hodges about this loan request during the loan approval process or prior to its disbursement. In fact, the bank had the 1986 financial statement and the fiscal year 1987 statements on both a cash and accrual method. Those statements were also distributed to all partners of the firm during the period May-June 1987. It seems to me to be appropriate that the bank would wait, as it did, for over four months to renew the $10 million facility in order to receive and study the firm's financials for the year ending January 31, 1987, and to further review a report on the firm's accounts receivable and work-in-process.

*Statement*: "On June 3, 1987, Washington and two other partners signed a statement swearing that the firm was in sound financial health."

*Fact*: During May and early June 1987, over 20 members of the firm's management committee executed a resolution authorizing the $10 million borrowing from NBW. In addition, the three co-managing partners also executed an agreement containing a provision asserting that there had not, between October 1986 and June 1987, been material adverse changes in the firm's operations or finances.

Between October 1986 and June 1987, the firm admitted over 45 new partners, including two U.S. senators, to the Washington office. It also hired well over 50 new associate attorneys and 10 new of-counsels.

Between October 1986 and June 1987, the firm opened new offices in Chicago, Sacramento, Tallahassee, Baton



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Rouge, Orange County, and D.C.'s Willard office building.

Between October 1986 and June 1987, the firm spent over $4 million moving into new offices in Miami and over $2 million of the $12 million ultimately spent completing and refurbishing the executive and general offices in New York.

These facts and many, many more were a sufficient basis for one to feel comfortable in executing the loan agreement. I believe our views were reasonable under the circumstances; at worst, we may have been optimistic.

*Statement*: "That statement was used in lieu of the financial reports, which were supposedly coming 'any day.'"

*Fact*: I never made such statements to any officers or directors of NBW. In fact, NBW had year-end statements for the year ending January 31, 1987.

*Statement*: "The statement was untrue: The firm was $70 million in debt and its California partners were accusing those in Washington of bad management."

*Fact*: Which statement was untrue? That the firm "was in sound financial health"? That a financial report was coming "any day"? That the undersigned executed a "statement swearing" to a then-existing fact? While the firm owed the four banks over $60 million, in June 1987 the firm also had net accounts receivable and work-in-process of over $90 million and fixed assets of approximately $27 million, net of depreciation. Accordingly, based on books prepared by Peat Marwick & Co., the firm had a sizable net worth and had profits for partners of over $40 million for the year ending January 31, 1987. It is very unfair and inaccurate to report the debts of the firm without mentioning the assets, net worth, or prior earnings for the period in question.

The Washington partners did not run the firm. The executive offices of the firm were in New York. I am not aware of any suit by California partners accusing "those in Washington of bad management." The Washington office comprised seven members of the 30-member National Management Committee and one of the three co-managing partners.

*Statement*: "[T]he California partners sued NBW because they believed no reasonable and prudent man would have lent those Washington partners money."

*Fact*: The $10 million loan was made and disbursed to the firm, not to the "Washington partners." No loan was ever made to the Washington partners on behalf of the law firm.

*Statement*: "In April 1989, Said and Hodges reached an out-of-court settlement, although Washington kept up his flurry of suits."

*Fact*: I did not have a flurry of suits. We filed a countersuit against Mr. Hodges and other directors in the original suit filed against Mr. Said *et al.* Besides our countersuit, I filed no other suits.

In the end, this article is inaccurate and materially misleading. We have checked our telephone logs and have not found a call from Lynda Edwards during February, March, April, and May 1991.

ROBERT B. WASHINGTON JR.
Washington, D.C.

*The editors reply:*

Lynda Edwards tried repeatedly to reach Mr. Washington by phone. Since she failed, however, we wanted to give him enough space to tell his side of the story.

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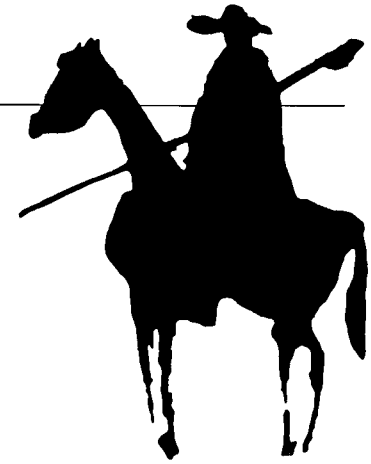

More sex means better education. This takes a bit of explaining, so please bear with me.

A lot of people now recognize that in many large cities parochial schools are the only places where a quality, affordable, and democratic educational experience is available for the children of the average man. Unfortunately, the number of parochial schools is declining. Why? Because groups that over the years have supplied most of the teachers—the nuns and brothers of the various Catholic orders—have been leaving the church, and there are not enough young people replacing them. Why? Because the church requires celibacy.

So, if the Pope will just loosen up a bit and permit priests and nuns to marry, he will make them happier and improve American education at the same time. . . .

When a student in St. Paul, Minnesota, asked George Bush why he wanted to become president, this was the best the leader of the free world could come up with:

"You have to have some motivation—ideological motivation. I think our administration is doing good things for the country. And then when you're my age and maybe younger, too, you want to think you can contribute to world peace. It's a big-picture thing." . . .

The recent drought has tended to make the people of the American West a bit touchy about the amount of their water siphoned off to fill the swimming pools of Southern California. Spokesmen for the pool industry respond by emphasizing the positive:

"We think it's important that people understand that a filled pool can provide the water necessary to help fight a fire."

Pool owners say they're really conservationists at heart. Take Robert and Jayne Wilson of Bel Air, who have a custom-built pool and waterfall with a 40-foot drop. It takes 28,000 gallons of water to operate, but the Wilsons say, "We're not going to take advantage—we'll only run the waterfall a couple of times a week."

Mayor Maureen O'Connor of San Diego is a strong foe of water rationing, and the *Los Angeles Times* found out why. It seems that, during 1990, the mayor was one of the top residential water users in the city, consuming an average of 3,248 gallons per *day.* Still, to give you a sense of how extravagant they are in lotus land, she ranks only 93rd on San Diego's list of big water users. . . .

When Dick Cheney fired Air Force Chief of Staff Michael Dugan last fall, the press was, as Scott Shuger recently noted in these pages, remarkably incurious as to whether or not we were losing a good man. In fact, the remarks that got Dugan fired included the most prescient analysis I've seen of what would be the key factors in the war.

"[Iraq's] air force has very limited capability. . . . They did not distinguish themselves in the war against Iran. . . . Iraq's [army] is incompetent. . . . Unlike Vietnam, we can win through air power because there is not much jungle where we're going. . . .


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Ground forces may be needed to reoccupy Kuwait, but only after air power has so shattered enemy resistance that soldiers can walk in and not have to fight house-to-house." Does this sound somewhat familiar—like maybe exactly how things worked out? . . .

The headline in *The New York Times* sounded innocent: "Bush's Son Getting Aid on Legal Fees—A Family Friend Sets up Fund After the Silverado Case." What the headline didn't tell you was that the old friend was Thomas L. "Lud" Ashley, the leading lobbyist of the banking industry. In other words, the man who was neck deep in the S&L scandal is being rescued by the man who is heading the fight for deregulation of the banks, the leading candidates for the next big bailout—a man who more than anything else needs the help of Neil Bush's father to save his clients. . . .

In years gone by, federal employees moaned and groaned about the per diem allowance for federal travel. It was the same amount wherever you went. While the payment was adequate for most places, it didn't begin to cover expenses in New York City. So the government raised the allowance for New York and other high-cost cities. Then it took a similarly sensible step by supplementing the salaries of federal employees stationed in those cities. Now the other federal employees are demanding the same salaries that those in New York are paid. . . .

Last month, we noted that the New York Public Library was spending too much on the elite patrons of its main building and too little on the average folks who use its neighborhood branches. Now comes the news that the Los Angeles Public Library recently spent $400,000 on collector's item volumes that could have been used to buy regular books needed in the branches. . . .

If you've been reading this magazine lately, you may have noticed a pattern in the facts we have been uncovering. On real estate assessment, the rich are favored, as they are on college admissions, and as they are in not having to do military service, and as they have been under the tax policies of the Reagan-Bush administrations. The groups most victimized are families making less than $40,000 per year. Embracing this group, becoming its champion against the rich, could be not only the moral salvation of the Democratic party, because it would be right, but the electoral salvation as well. The group happens to constitute 60 percent of the population.

The danger for the Democrats is that they will try to broaden the group they champion to include the lawyers, doctors, congressmen, upper-level bureaucrats, academics, and journalists whose salaries range from $75,000 to $200,000 but who think of themselves as beleaguered because they have come to want to live like the rich. This group is powerful because of its disproportionate influence over public opinion. The way to counter that influence is first to eliminate the legitimate reason the upper middle class feels aggrieved (high tuition costs—see our solution on p. 45). If that doesn't put an end to the whining, we should ridicule this group's self-pity until it is embarrassed to claim for itself the benefits that should go to the truly struggling.

Let me explain how this professional class has separated itself from the average man. When I was just one step from the top of the civil service in 1968, I made $25,800, which was just a few thousand more than a lot of steel and autoworkers earned. If I were still in the government at the same level, I would be making around $100,000, three times the salary of the steel or autoworker who still has a job. I would live in a world that has little in common with the world of the group that needs help. This is a truth the Democrats must understand if they are to emerge from their long night. . . .

My sense that the American elite has unconditionally surrendered to selfishness is heightened by recent Peace Corps advertising. The Peace Corps is one of the few places where the elite still perform service of any kind. Of course, it has shrunk by three-quarters since the sixties. Now, apparently, Peace Corps administrators have decided that the only way to attract new volunteers is to go upscale with their image. One recent television ad features not huddled masses in Calcutta, not poor campesinos in Bolivia, not starving children in Ethiopia, but Peace Corps volunteers in the architectural splendor of Budapest, teaching a group of very clean, very white Hungarian students in classrooms with richly filled bookshelves and desks with individual lamps. The scene is reminiscent more of Balliol or Magdalen than of the spare facilities in which I saw typical volunteers teaching in Africa, Asia, and Latin America during the sixties. . . .

The big reason I hope Jay Rockefeller runs for president is that I think he could be the person to lead the elite out of its spiritual morass. Whatever his faults, he has devoted his life to public service. As a young man in 1964 he could



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have gone to Wall Street or, for that matter, to St. Moritz or St. Tropez, but he chose to go to Emmons, West Virginia, to work in a poverty program. That's precisely the kind of choice the young elite should be making today. . . .

If you have been convinced by the defenders of American higher education that the allegations against academia are scurrilous and unfair, consider the case of George Harker, a professor at Western Illinois University. What is Professor Harker's discipline? He teaches leisure. That's right—he is a professor of leisure. His courses include "Concepts of Leisure" and "Philosophy of Leisure." His specialty is nude beaches. He has, according to the *St. Louis Post-Dispatch*, "testified as an expert in court cases from Hawaii to Massachusetts against laws requiring bathing suits on beaches." . . .

At a dinner party not long ago, I was seated next to a senior official in one of the cabinet departments who was complaining about the lack of work ethic among the department's civil servants. "Ninety percent are strictly nine-to-four," the official said, "and their main delight is finding meetings and conferences that will get them away from their desks."

Ninety percent is a higher figure than I have heard from other federal managers, but there is no question that a relaxed approach to one's duties is far from unusual in Washington. The reason is that we can't fire these people. A civil servant's chances of being fired for poor performance are 1 in 4,300. In 1990, according to *The Washington Post*'s Mike Causey, 370 federal employees were fired for unacceptable performance out of a total white-collar workforce of 1.6 million.

Since the official has friends at the White House, I asked why they couldn't help in dealing with the civil service.

"Two reasons: One is that many of them have never had substantial contact with the problem. At the White House, the atmosphere is hard-charging, so White House people who haven't worked in the bureaucracy—and most have not—have no idea what the slow charge is like. Second, the few who do understand see themselves in power for, at most, only five more years and think the civil service problem is too deeply rooted to be solved on their watch." . . .

One of the good developments of the seventies was the emergence of consumer reporters on local TV stations. Here in Washington we have two excellent ones, Lea Thompson at Channel 4 and Roberta Baskin at Channel 7. They are vigilant against the tendency of business to screw the consumer. But they are increasingly lonely. According to *Newsweek*, local TV stations throughout the country are caving in to advertiser pressure and firing their watchdogs. This is especially unfortunate because eight years of Reaganism left behind an almost totally emasculated consumer protection apparatus in the federal government—a problem that has been compounded, *The New York Times* points out, as "financially troubled states and cities across the country have sharply reduced the budgets of their consumer agencies." . . .

One of the places that federal regulation is weakest is the FAA. The latest example comes from the case of the air traffic controller who landed one plane on top of another at the Los Angeles airport. According to the *Los Angeles Times*, it seems that during her most recent performance evaluation, in December 1990, the controller lost track of a plane taxiing onto a runway on which another plane was about to land, almost exactly duplicating the actions that produced the crash this year. It also seems that when she was a controller for the Air Force, she had been relieved of her duty and urged to seek psychiatric help. . . .

It's time for an update on taxpayer-financed travel. The Texas Medical Association's dedicated search for sites conducive to learning has uncovered the Laurie River Lodge in Northern Manitoba, where it is sponsoring a tax-deductible continuing medical education program on "Neurology for the Non-Neurologist." The brochure says, "Be assured that you will experience full days of trophy fishing and that the educational portion takes place in the evening after the fishing day has been completed."

The Kentucky Bar Association's Mid-Year Convention will be at the Maui Hyatt in nearby Hawaii, while the Ohio Bar is holding its Continuing Legal Education Seminar in Puerto Vallarta, Mexico.

Is there even the faintest sign of conscience among our professionals? I thought I saw a tiny ray from the state of Washington, where the bar association recently voted to cancel its Maui meeting. But the action was motivated not by a moral stand against tax-deductibility but by the fact that state bar officials were *not* taking the tax deduction and were instead routinely charging the association with outrageous bills for travel expenses and luxury suites at conventions, running up a bar


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deficit of $548,000 for the eighties, when 8 of 10 meetings were held outside the state. . . .

Here in the city of Washington, officials are being a bit more cautious about billing the taxpayer for travel because of the Air Sununu scandal. When *The Washington Times* reported that congressional travel budgets for June's Paris Air Show would cost approximately $1.2 million, including about $350,000 just for rooms and suites at the posh Meridian Hotel, all but two congressmen suddenly discovered that they had other pressing engagements and regretfully canceled their trips.

*The Washington Times* has been displaying admirable enterprise in getting the inside scoop on official travel. For instance, it discovered that when aides travel with congressmen, the money spent on the latter can be dramatically greater than what is shelled out for the aide. The trip to Cyprus that required $5,146 in taxpayers' money for Rep. Edward Feighan cost only $1,617 for an aide; similarly, Rep. James Sensenbrenner's trip to France, the Netherlands, and the Soviet Union was $5,087, while two aides needed only $1,844 each for the trip. Did the congressmen fly first class and the aides in steerage?

The John Sununu of the Supreme Court may turn out to be Justice Anthony M. Kennedy. Last year, he accepted all-expense-paid trips to Brazil, Great Britain, Austria, Italy, and Czechoslovakia. . . .

Last month, we reported that Rep. Les Aspin's female friend, described on the plane's manifest as a "tech rep," rode free on an Air Force jet from Denver to Washington. It turns out that the female friend is also a lobbyist for a defense contractor. Aspin is, of course, the chairman of the House Armed Services Committee. This may lead to a breakthrough in accounting efficiency. It used to be that the lobbyist paid for the congressman's travel and his own and then turned in an expense account to his company, which deducted the charges from the defense contractor's income tax. Aspin has found a way to eliminate all these middlemen—just let the Air Force pay for all the travel and none of the tiresome paperwork is necessary. . . .

One of the many insane actions taken by James Angleton, the CIA spy-hunter, was to return to the Russians a KGB officer who had been spying on behalf of the CIA. What happened to the officer? Did his fate trouble the CIA at all? Here's what a former high CIA official told an interviewer from "Frontline":

"They shot him when they got him out of sight the day he was turned over. What can we feel about that? I have no particular feelings about it. It's—it's part of the game." . . .

The Pope may be wrong about celibacy, but he certainly is right about capitalism. His recent encyclical affirms the basic economic desirability of the free market but also points out the kinds of human and environmental exploitation that are its handmaidens. Now that practically everyone in the world sees the folly of Marxism, it is crucial that mankind not make the opposite error and rush to an uncritical embrace of the market. Capitalism can be benign, but it is not automatically so. It needs the encouragement of regulation to make sure that human and environmental values are respected. . . .

How does the administration now propose to get rid of Saddam Hussein? Economic sanctions. Why, then, didn't we stick with the sanctions in the first place? Iraq would not be devastated, the multitudes who are now dead would still be alive, and we would have had just as good a chance of getting rid of Saddam as we do now. . . .

—*Charles Peters*


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# Why Aren't Pro-lifers and Pro-choicers Pro-contraception?

by Rita McWilliams

On one side of the walkway to a Georgia Avenue clinic less than a mile from the U.S. Supreme Court, men and women surge forward with full-color photos of aborted fetuses. On the other side, women join hands in a human shield, blocking the pamphleteers. Threading her way between these two factions this chilly Saturday morning is a lone woman—make that girl—wearing sweat pants, a hair ribbon, and braces.

Both camps on the sidewalk claim they care deeply for this young woman. The anti-abortion "counselors" say they want to prevent her from committing an act that will plague her the rest of her life. Members of the "clinic defense force" say they are protecting her fundamental right not to carry an unwanted child.

But both sides have already failed this woman. In this age of scientific technology, an era in which birth control should be cheap, effective, and widely used, she shouldn't be here in the first place.

The recent Supreme Court decision forbidding family planning organizations using federal money to advise clients on abortion illustrates a truth that has existed quietly ever since *Roe* v. *Wade*: the selling out of contraceptives in the battle over women's wombs and fetuses' futures. Anti-abortion forces would rather refuse the underprivileged millions of dollars for birth control counseling than allow such advice to include abortion. Planned Parenthood Federation of America (PPFA) and its pro-choice supporters may choose to forgo $34 million—and, perhaps, the contraceptives that money would buy for low-income women—instead of adjusting their counseling protocol.

While judging the merit of the high court decision involves more than an opinion on abortion—restricting doctors' ability to advise their patients raises important ethical and constitu-

*Rita McWilliams is a Washington writer. Research assistance was provided by Pat Davis and Michael Schaffer.*


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tional issues—the current controversy reveals something both sides would rather not admit. While European countries press ahead with aggressive contraceptive research and education, contraception in the United States has devolved, since the advent of the pill, from a critical end in itself into a mere accessory in the abortion debate. As a result, the United States today has one of the highest abortion rates in the industrialized world. Yet the number—1.6 million each year—is only part of the story. Seventy-five percent of the women who choose abortion do so, according to their own assessments, out of financial and personal convenience—to avoid interference with school, work, or other activities. And half of them say that they were using no contraceptives at all.

Logic suggests that pro-life and pro-choice activists would hail new technology like Norplant that makes it easier and safer to prevent pregnancy; that they would put aside their differences to make contraception available to teenagers, to teach its proper use; that they would speak up to assuage the anxiety that still clouds our thinking about contraception. Instead, obsessed with abortion, they have forgotten a critical corollary of the cause: ensuring that most American women never face the decision to abort at all.

Anti-abortion protests have gone further than scuffles on abortion clinic sidewalks. There have been torchings at dusk and bombings at dawn. The seven million or so members of the nation's far-flung pro-life movement claim to be driven to action by one principle: to preserve the new life inside a mother's womb. To abort a fetus, whether it's 1 or 45 weeks old, they say, is to murder.

So when it was announced in February that Norplant, a convenient form of contraception expected to reduce the number of unwanted pregnancies by hundreds of thousands, was approved by the Food and Drug Administration (FDA), one might have thought the news would be met with jubilation from those struggling to prevent abortion: Anything that reduces unwanted pregnancy, after all, reduces the motive for murder. Yet instead of praising this abortion preventative, many anti-abortion groups oppose it.

Martin Luther called contraception homicide. John Wesley promised that those who used contraceptives would lose their souls. Judie Brown's take is more or less the same. Sex exists for one purpose only, she argues: to initiate life.

Brown is the founder and president of the American Life League (ALL), one of the least conciliatory of the anti-abortion groups. ALL's primary goal is the passage of a constitutional amendment to ban all abortions except those to save the life of the mother (with the stipulation that equal effort be made to save the life of the fetus). But the 259,000 "member families" of ALL have another, less publicized goal: to pull the pill and the IUD, two of the most popular contraceptives in America, from the market. ALL considers these methods "abortifacients" because they prevent a fertilized egg from implanting in the uterus.

Yet ALL doesn't find just abortion, the pill, and IUDs morally offensive. It denounces the diaphragm, the condom—"any kind of artificial jam, jelly, anything you want to call it," says Brown—except what she calls "natural child spacing," or what was once known as the rhythm method. "Anything that interferes," she summarizes simply, "is a bad thing."

Of course, every movement has its extremists. But in this case, one of them is the powerful National Conference of Catholic Bishops, which last year launched a multimillion-dollar anti-abortion campaign with the aid of Hill & Knowlton, one of the most sophisticated PR firms in the country. And make no mistake: To the Catholic hierarchy, anti-abortion is also



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anti-contraception. "God created us body and soul together," says Helen Alvare, director of campaign planning and information. To use contraception, she says, "is to say the body and soul are two separate beings." With contraceptives, "a man and a woman are not coming together completely."

Unlike ALL and the Catholic Church, the nation's two largest pro-life groups, the National Right to Life Committee (NRLC) and the Family Research Council (FRC), don't oppose contraception outright. They say they simply have no opinion. (Except, of course, when unmarried teenagers are involved. Despite the fact that the U.S. has the highest rate of teen pregnancy in the First World, they disapprove of even *teaching* young people about contraception.)

Although ardently opposed to abortion, the FRC "doesn't really get into contraception very much," says Charmaine Yoest, public policy analyst for the influential evangelical group. "We think it is a personal decision for people, particularly when you are concerned with adults."

"We don't have a position on it," echoes Nancy Myers, communications director of the mammoth NRLC. "We don't have a position on breast cancer or a variety of other medical issues either."

Yet NRLC is not a single-issue lobby. It also fights for the rights of handicapped infants and opposes euthanasia. "We believe it is the same life at either end of the alimentary canal," says NRLC's legislative director, Doug Johnson. Contraception, however, "is an entirely different question. It is not a right-to-life issue."

Though you won't hear it from the principals, one reason for NRLC's silence is politics. What with all the differing views about contraception on the right, *any* policy could reduce the strength of NRLC's 3,000 member-organizations across the nation. Besides, the number *1.6 million* turns a lot of heads. That's why right-to-life groups consider the sheer quantity of American abortions a major weapon in their campaign.

For instance, to counter 1989's pro-choice march in Washington, the American Coalition for Life created a "Cemetery of the Innocents" on Capitol Hill, erecting 4,400 white crosses—one for every abortion that takes place each day. As the press flocked to the scene, pro-lifers invoked the number—4,400 a day—like a mantra. Reducing the number of abortions through more effective contraception could reduce the potency of campaigns like these.

Yet the explanation NRLC and FRC give for refusing to promote contraception—and that ALL gives for opposing many forms of contraception—is the fear of "the contraceptive culture." The theory is simple: The availability of contraceptives leads to promiscuity leads to abortion. ALL's Judie Brown explains, "The contraceptive mentality suggests that man and woman have absolute and total control over their reproductive lives. Once you have that mindset and the contraceptives fail, then you can eliminate that problem [the pregnancy] as well."

To prove this wanton, careless "culture" exists, NRLC's Johnson points to an Alan Guttmacher Institute study showing that half of all women seeking abortions were using no contraception at all. "Why is this? It's because they know abortion is readily available," Johnson says.

Of course, the highest abortion rates in the world are not in "contraceptive cultures" like Sweden, but in the Soviet Union, where contraceptives are scarce, and Romania, where for years they've been illegal. Perhaps a better theory—one most right-to-lifers have ignored—is that contraception in the U.S. *isn't* as accessible as we'd like to think. And that's not right-to-life's fault alone.

## Condom minimum

Over the Anacostia River in Southeast D.C., Ballou High School serves one of the city's poorest and most isolated neighborhoods. The teen pregnancy rate there is the highest in the entire metropolitan area, yet in the eighties not a single public clinic in the area dispensed birth control. And while a 10th-grade crack addict can easily be referred by a Ballou nurse to a drug treatment clinic in the city, his sexually active classmate seeking contraception can expect to get little help.

Several years ago, concerned school administrators and PTA members tried to start a school clinic that would provide contraception to students. Today, the clinic is open—but there's not a condom or a pill-pack in the place. For in the interim, ministers and right-to-life activists besieged the school board, wrote *The Washington Post*, preached from the pulpits, turned out at hearings, and pushed the school system into a complete reverse. Daunted by the Ballou case, administrators in neighboring Hyattsville, Maryland, decided not even to *raise* the issue of contraception when opening a school health clinic there a year later.

Where was the powerful National Organization for Women (NOW) during the critical skirmish at Ballou? Nowhere, concedes Paula McKenzie, president of D.C. NOW. "We don't have much contact with that part of the community," she says. "No one called us about that."

"What's Ballou clinic?" asks a spokesman for D.C. Planned Parenthood.

The National Abortion Rights Action League (NARAL) has no D.C. chapter, but there's a Virginia affiliate


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a few miles away, run by Executive Director Jennifer Carley. "We primarily deal with abortion," she explains. "We would like to be able to fight more for contraception and family life issues," but beating off restrictive abortion bills is all the chapter can handle. Last year alone, five were introduced in the Virginia statehouse.

In America, presumably a land of contraceptive plenty, the number of abortions has doubled since *Roe* v. *Wade*. U.S. rates are now three times as high as those in Canada, which boasts aggressive contraception campaigns. While surveys indicate that U.S. teens are more sexually active than ever, only 13 states require local school systems to provide sex ed—let alone pass out condoms. "It is a much more complicated picture than making sure there are condoms in every drug store," says Lisa Kaeser, senior associate for policy analysis at the Guttmacher Institute. "What we've learned in the last 25 years is that it is baseline critical to make contraceptives available, but you have to combine it with education and encourage people to use contraceptives well."

**While a 10th-grade crack addict can be easily referred by a school nurse to a drug treatment clinic in the District, his sexually active classmate seeking contraception can expect little help.**

To be sure, Planned Parenthood has been advocating contraception for years—launching drives to cut teen pregnancy rates in half by the end of the decade and mandate sex education in every state. It convenes policymakers and scientists to discuss improving contraceptive methods, and its affiliates distribute free or low-cost contraceptives across the land. Other groups not commonly associated with abortion—Children's Defense Fund, the Urban League, the Center for Population Options, the National Organization on Adolescent Pregnancy and Parenting—have also fought quietly to expand contraception education.

Yet compare these efforts to the vocal, headline-grabbing campaigns pro-choice has mobilized on behalf of abortion—or RU486, a pill that produces an abortion in the privacy of one's home. NOW sent thousands of postcards to the manufacturer, Roussel-UCLAF, urging it to fight the FDA's import ban. For its part, the Fund for a Feminist Majority delivered 800 pounds of signatures to Roussel. The support of the nation's leading science and health organizations has been carefully cultivated.

Pro-choice groups "get really psyched about the sexiest issues—abortion, RU486," says Lisa Kaeser. But when it comes to the plodding school clinic or sex education debates, don't count on them to join the fight. "We can protest against people trying to ban abortion because it's easy," acknowledges Vicky Grand, a young pro-choice activist. "You can see them marching in front of the clinics and screaming. But with birth control, you don't see the protesters. . . . You just can't see the enemy." Especially, it seems, if you're not looking.

In the Philadelphia city schools last month, a plan to provide students with condoms foundered. The city's influential black clergy came out passionately against it. The Archbishop of Philadelphia objected. Dozens of appalled activists packed the public hearings. One anti-condom leader even declared May 13 "Chastity Day" and convened 1,000 students for a rally. Where was pro-choice during all this commotion? According to the *Philadelphia Inquirer* reporter covering the beat, there was not a single press conference or rally supporting the program.

"We put the majority of our energy into abortion," explains Jennifer Heitler-Klevans of NOW's Philadelphia affiliate.

Representatives of NOW and NARAL become livid at the suggestion that they've given short shrift to contraception. "Contraception is intertwined with abortion. . . . We are always using our political clout for both," says Renee Cravens, spokeswoman for the 500,000-member NARAL. "We want women to have a choice of options, so they won't necessarily have to choose abortion." That's why NARAL is active on everything from family medical leave to day-care legislation, she says.

Rosemary Dempsey, action vice president for NOW, rejects the notion that her group isn't always on the front lines of contraception. "Birth control is under fire," she warns darkly, reeling off NOW's recent activities—lobbying the National Institutes of Health (NIH) for improved contraception, lobbying Congress for more federal research funds, etc.

And, indeed, it is beyond doubt that pro-choice groups like these support contraceptives and better reproductive education. But if these groups could mobilize more than 300,000 protesters on Washing-



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ton's Mall to support abortion rights, why not do the same to expand contraceptive education, availability, and research? That's a question Frances Kissling, executive director of the abortion rights group Catholics for a Free Choice (CFC), has had occasion to ask her fellow travelers. The pro-choice movement "is not making as much of [the contraceptive issue] as it should," she says.

The absence of the pro-choice movement in contraceptive conflicts has allowed pro-life considerable freedom in setting the terms of the debate—terms that can be misleading. "You know how the argument goes," says an Alexandria, Virginia, school official who recently weathered the clinic controversy. "First it's contraceptives in the clinic, then it's sex in the gym, and then it's abortions in the cafeteria." Or sometimes—as was the case recently in New York's black churches—the charge is simply genocide: white people trying to stop black teenagers from procreating.

Granted, recent studies show that clinics in schools are not panaceas for teen pregnancy. Before contraception takes root in a culture, people have to be familiar with and open to the benefits of postponing pregnancy. They have to see contraception, talk about it, understand how putting off motherhood is often crucial to staying in school and getting good jobs. It's clear already that teenagers aren't learning that in American classrooms; they sure won't learn it on the radio or TV, either. Pro-life groups have outyelled pro-choice groups in the boardrooms of the nation's media giants, too.

It's Thursday afternoon at one, and Roman and Isabella on "Days of Our Lives" are making love on the beach. It's nine the same night, and two high schoolers from "Beverly Hills, 90210" bed down in a hotel during the prom. An hour later on "LA Law," Arnie Becker is sleeping with another client, a soon-to-be divorcee.

With cable and a clicker, it's possible to watch people having sex day and night. It's much tougher, however, to find a TV ad for birth control. The networks won't take them—afraid they might "offend the moral and religious sensitivities of viewers," as Richard Gitter, vice president for advertising standards at NBC, puts it. "Many see [birth control] as encouraging promiscuity and are against it," he says. "Others see contraceptive advertising as attempts at sex ed by the network, and they are against that. . . ."

Though Planned Parenthood led a campaign to land contraceptive ads on TV a few years ago, it apparently didn't bombard the networks with as much mail or as many calls as the right-to-lifers. It's pro-life, not pro-choice, that wreaks fear in the hearts of TV executives.

NOW's Rosemary Dempsey explains the pro-choice movement's rationale for not concentrating more of its efforts on contraceptive battles like those. "Unfortunately, attacks on abortion rights have been so virulent that the focus of our energy has necessarily been to fight them." It is, she says, "a crisis situation."

That's the same rationale more moderate right-to-lifers offer for their passivity on contraception—we would, but we're tied up with the bigger battle. Yet pro-choicers' absence, like that of the right-to-life groups, stems from more than a lack of resources. Although a staunch supporter of contraceptive measures, the pro-choice movement finds it difficult to actively promote contraceptives as a more attractive option than abortion—for that would effectively underscore the other side's argument. One of the obvious reasons for advocating contraception is to reduce the incidence of abortion, but, as Frances Kissling of CFC points out, doing that would imply that abortion is "not a morally good thing," thus eroding the argument that abortion should and must be available. It's a very slippery slope—which is why some pro-choicers have kept their distance.

## The pickle-juice prophylactic

Much has been made in recent years of studies that show some unwed teenagers *want* to get pregnant. Lacking self-esteem, lacking options, sometimes just lacking love, they feel they have nothing else in life. For them, the availability of effective contraception doesn't make much difference. But more than a million pregnant American women *don't* want to be. In 1988, the Guttmacher Institute studied a group of sexually active women who said they didn't want to get pregnant and discovered that 1 in 10 were using no contraception at all. Such women account for about half of the United States' 1.6 million annual abortions. Of course, that leaves the 9 out of 10 women who *were* using contraceptives to account for the rest. "This says to me that many women are not using contraceptives as well as they could be, or that the methods themselves are not what we call user-friendly," says Guttmacher's Lisa Kaeser. But you don't have to take her word for it.

Willy, a 25-year-old parking lot attendant, lives with his girlfriend and their child in a small Alexandria apartment. Condoms reduce "sensitivity," he complains; he simply doesn't consider them an option. As for birth control pills—they cost $20 a month, not including the cost of the requisite gynecological checkup every six months. His girlfriend tried that once, but when the six-month supply ran out, money was short. She never went back to the clinic. An IUD? You have to have surgery for that, shrugs


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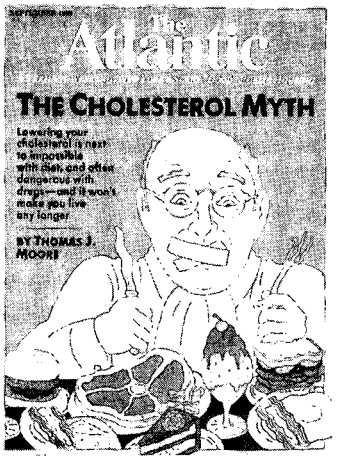


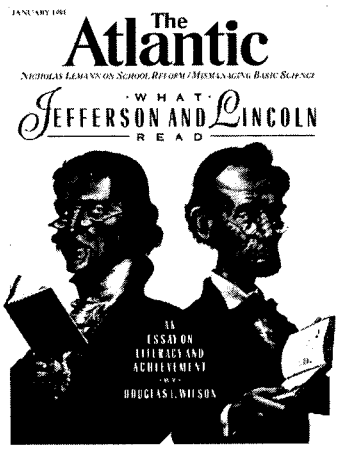


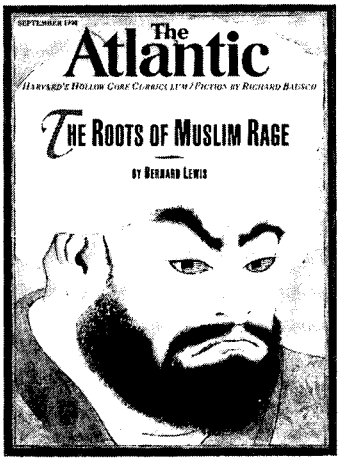


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Willy. He's never heard of Norplant, and nobody *he* knows uses a diaphragm. So what do they do? "Pull out," he says. Today, his girlfriend's carrying baby number two.

Among the young, the definitions of "contraceptive" can be amazingly creative. A survey of Detroit teenagers a few years ago found that some women relied on high heels when they had sex, believing the pelvic-tilt effect of pumps would make the sperm slip out. Others still think you can't get pregnant the first time. Pickle-juice douches are a popular spermicide—vinegar and salt, it is believed, kill sperm. Willy allows that an ice cube inserted into the vagina will "freeze" the sperm.

Yet when the subject is contraception, knowledge isn't necessarily power. Most of us can remember our first, mortified visit to the drugstore to buy Trojans. And many can also remember times when that Trojan never came out of the wallet—which is one reason methods like the pill and Norplant are more reliable. But few young people take the time and trouble to use these regular, more permanent methods of contraception.

For an appointment to get contraception from a D.C. public clinic, a woman routinely waits four to six weeks; there are waits for private doctors, too. Yet when it comes to sex, few people plan that far ahead—especially when, at least in a young person's mind, there are so many reasons to put a clinic visit off. If IUDs are literally painful to many women, other methods are simply a pain. Properly inserting a diaphragm is difficult for 35-year-olds with engineering degrees, let alone embarrassed 11th graders. "There's all this stuff to worry about—you're not going to do it right, they're going to send a letter to your house with the clinic's name on it, your mother's going to find it," says a young woman who had all the facts but has had two abortions.

Some local family planning clinics are far too busy to mitigate these individual difficulties and fears. Despite all the pro-choice lip service, many clinics are cash- and volunteer-poor. When D.C.'s hispanic women go to the city public hospital for contraceptive advice, they get it in English, whether they can understand it or not. Confounded by the system, many find it easier to get birth control sent to them from Latin America, where it's cheaper and, astonishingly, there are more choices.

Amid so much fear and ignorance, it's taken a deadly disease—not the mere threat of pregnancy, not pro-life or pro-choice activists—to bring the only real advance in the availability of contraception to young people during the eighties. In New York City, condoms are now available in the city's 120 public high schools, not to keep young women out of abortion clinics but to help prevent the spread of AIDS. D.C. Mayor Sharon Pratt Dixon is leaning toward a similar policy, which is a good start—but handing out condoms is hardly a replacement for school clinics with professional counseling and instruction. Dixon, as it happens, isn't advocating that. And why would she, when there's little political pressure to do so?

## Blinded to science

CFC's Frances Kissling calls the contraception-versus-abortion debate "*the* conflict in the pro-choice movement today." And scientist Vernon Stevens thinks it's clear which side is winning.

For years, 90 countries have been using a steroid injection to prevent pregnancy for six months per shot. Stevens, a reproductive biologist at Ohio State University, has received several million dollars over the past 15 years from the World Health Organization to support his research on another contraceptive injection. This year, he'll start testing it in Sweden. But don't expect it here any time soon.

It's a cliché of contraception articles that pro-life campaigns stop pharmaceutical companies from buying new contraceptives. And Stevens, who has received his share of anti-abortion hate mail, has no love for right-to-life. But it's not just groups like ALL he's annoyed with. It's groups like NOW that he claims have failed to come to his rescue. "I said if there was better birth control, there would be less need for abortion," Stevens avers. "They haven't bit much on that because that's not their point. Their point is, 'Irrespective of whether I'm a responsible woman or not, I have the right to abortion.' "

With no political power or corporate sponsor behind him, Stevens is one of the many contraception casualties of the eighties. Carl Djerassi, a Stanford University chemist who helped develop the pill, observed last year in *Science* that the U.S. and Iran are the only places in the world that *regressed* in contraceptive research during that decade. If the availability of contraceptives in school clinics matters dramatically today, research will determine the climate of American contraception—and the number of American abortions—long into the next century.

Until Norplant—which was opposed not just by some right-to-lifers but by the pro-choice National Women's Health Network (they said not enough testing had been done)—no fundamentally new contraceptive methods had been approved for use in the United States since the sixties. In fact, only one of the nine companies researching new contraceptives in the seventies is still exploring new technology today. During the same two decades, the United States



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developed the artificial heart, co-discovered the AIDS virus, perfected the sex change operation, and made babies on slides. But remarkably, the leading method of birth control in the United States is once again sterilization.

In a scathing report last year, the National Academy of Sciences, observing that current methods are ill-suited to the needs of a huge number of Americans, called for major research into new forms of contraception. But while pro-choice was fighting other battles, a stringent regulatory environment, suits such as the 320,000 claims filed against A. H. Robins for the Dalkon Shield, and the mighty anti-contraception forces virtually ensured that research would have to wait.

Of course, most of us would rather have no birth control than dangerous Dalkon Shields. But it's not just the market that senses pro-choice's impotence on this matter. The federal government knows, too. The NIH last year spent only $8.5 million on the development of new birth control. How much is that, in pharmaceutical R&D terms? Ortho Pharmaceutical, a subsidiary of Johnson & Johnson and the sole remaining corporate researcher in the country, says it costs some *$230 million* to develop a new birth control technology.

**With cable and a clicker, it's possible to watch people having sex day or night. It's much tougher, however, to find a TV ad for birth control. The networks won't take them—afraid they might "offend the moral and religious sensibilities of viewers," as an NBC executive puts it.**

But sometimes the problem's not apathy. On both sides, there's a headstrong refusal to compromise abortion principles to improve American contraception. Last year, when Reps. Patricia Schroeder and Olympia Snowe proposed the creation of three new contraception research centers, the project was awarded a paltry $3 million after right-to-life opposed it, charging that the research would involve RU486. In introducing funding legislation for the centers again this year, Snowe said, "We have proposed a middle ground where individuals, whether pro-life or pro-choice, can meet in support of reaching a positive, important goal."

Yet one reason middle ground—and any legislative headway—are so elusive is that pro-choice groups say access to contraception and abortion are "indivisible" rights of women. Whenever funds for contraception are up for a vote in Congress, pro-choice groups insist that money to counsel abortion be provided as well. That gives pro-lifers an excuse to oppose the measures. NRLC's Douglas Johnson claims his group would rather not oppose legislation that increases the amount and variety of U.S. contraceptives but is often "forced to" because of the abortion provisions included. "These groups profess to be interested in expanding contraceptives," says Johnson about the pro-choicers, "but they are willing to jeopardize the whole program" just so they can continue to include abortion. "We find that a little disingenuous."

Johnson's protest is also a little disingenuous—NRLC has hardly been a leading advocate of contraceptives—yet the link pro-choicers forge between abortion and contraception has dealt at least one painful blow to international family planning.

The United States government currently devotes $330 million a year in foreign aid to family planning. In 1984, after pressure from NRLC and other anti-abortion groups, the Reagan administration decreed that none of that money would be provided to groups that offer abortion counseling or referral. Would pro-choice jeopardize that money—in the face of so much human need—on the abortion principle? Perhaps—even if abortion is illegal in the countries in question.

An August 1985 memo written by an AID official describes how the PPFA decided to punish the International Planned Parenthood Foundation-Western Hemisphere (IPPF-WH) for signing the no-counseling policy, even though abortion is illegal in all the Latin American and Caribbean nations the international group covers. According to the memo, PPFA board members condemned the other body (which, despite its name, is a separate organization) for entering into the agreement, and then decided to cut off funding to IPPF-WH altogether. It even threatened to sue the international group if it attempted to raise funds in the U.S. under the "Planned Parenthood" name, the AID memo said.

David Andrews, vice president of the PPFA, disputes the memo. PPFA did object to IPPF-WH's signing of the policy, he says, but no threats about withdrawing money or fundraising assistance were involved.



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What *is* certain is that PPFA diverted some $500,000 it had intended for international programs to sue the U.S. government over the policy—a suit that it lost before the Supreme Court last month. Imagine how many condoms that would've bought in Haiti.

There's moral irony in pro-life's rejection of contraception and in pro-choice's inability to devote more of its resources to promoting it. Focused on fetuses, suction tubes, and coat hangers, we have ignored the needs of millions of women and men. But there's political irony here, too. By failing to endorse contraception over abortion, both sides deny themselves precisely what they've been fighting for for decades: the ability to appeal to middle America.

According to a 1989 Gallup poll, 61 percent of Americans don't want *Roe* v. *Wade* overturned. A *Los Angeles Times* poll the same year confirmed that most Americans think the choice to abort should be left to the woman. Yet the same poll found, surprisingly, that most Americans also take the stance that abortion is "murder."

Polls like these illustrate the public's moral dilemma about abortion, an ambivalence that increases when the primary motive for the procedure is simple inconvenience. According to the National Opinion Research Center, a nonprofit group affiliated with the University of Chicago, a large majority of Americans support abortion only when the woman's health is seriously endangered, when the pregnancy is a result of rape or incest, or when the baby is likely to be born with a serious birth defect. But if the woman wants an abortion because she is unmarried or does not want more children or is too poor to support them—the circumstances under which most abortions take place—slightly less than half of Americans think a legal abortion should be available. As the public senses, what the 1.6 million abortions performed annually indicate is an inexcusable failure: of responsibility, of education, of birth control.

By helping scientists, governments, schools, and companies make contraception safer, more effective, and easier to use, the anti-abortion movement could claim those undecided on the abortion issue, convincing them that it truly cares about and understands women—sexually active, morally complex women—and doesn't just fetishize the lives within their wombs. Similarly, the pro-choice movement could persuade us that legalized abortion is necessary if it worked harder to make it not an act of convenience but a step of last resort.

As we go to press, it appears that at least one pro-choice group, NARAL, has awakened to that political reality, planning its first-ever TV campaign advocating contraception. While the move is clearly a parry in the national abortion counseling debate, it is also a shrewd political gesture. Yet making both sides embrace contraceptives as a legitimate, integral part of American life isn't ultimately about politics. It's about the women who arrive each Saturday morning on clinic doorsteps, wracked with a terrible choice. □

# Winning the Trojan War

## *What ultra-Catholic Third Worlders can teach America about contraception*

by Tina Rosenberg

Blanca Ruth Rodriguez's barrio lives, literally and figuratively, on garbage. Most of the people in her neighborhood, Comuneros, get up at dawn to ride bicycle carts to a nearby garbage dump. They bring heaps of refuse back to their wood and cardboard houses where they pick them over, looking for items to sell or use. Some rooms are piled high with cartons, bags, strips of plastic, and rusted metal; many floors are thick with slime. Today, as it rains, garbage streams flood the shacks.

The nearest health clinic for the 197 families of Comuneros is a bus ride away; patients must bring their own syringes and gloves. No one boils drinking water. Children have constant diarrhea. Yet outside the small store that Blanca Ruth and her father manage is a sign: "Information Post: Family Planning," and the green flag of Profamilia. Amid the bread, eggs, and cigarettes inside is a display of condoms and pills, with brochures explaining how to use them. Another condoms display bears a banner: "Nothing can cure AIDS, but this can prevent it."

"I sell about 25 cycles of pills a month, and God knows how many condoms," says Blanca Ruth, who is 25 and has two children. "But most women here already have their families and preferred to have their

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tubes tied. Profamilia came to pick them up, took them into the clinic, did the operations, and brought them back the same day."

Next door in a day care center, 15 wet and dirty kids are jammed into a small, smelly room. One baby swings in a hammock, another perches atop a roll of cardboard. I conduct a poll: Most have one or two brothers and sisters. Blanca Ruth beams. "Here, we are *planificadas*," she says—we use family planning.

Twenty-six years ago, when Dr. Fernando Tamayo, gynecologist to some of Colombia's most prominent women, contemplated establishing a family planning center to serve the poor, few nations in the world seemed less hospitable to such an enterprise. While Colombia had one of the highest birthrates in the world, the Catholic Church was more influential and conservative there than anywhere else on the continent. The left, radical and armed, saw contraception as "imperialist genocide." Most Colombian men, hopelessly *machista*, thought contraception would encourage their wives to cheat; most Colombian women, more *machista* still, deferred to their men. Even the medical establishment considered family planning a sin.

Today in Latin America, only Cuba, Uruguay, and Chile have significantly lower birthrates than Colombia. In 1965 women had an average of more than 7 children; today the average is 2.8—one of the fastest declines anywhere. The infant mortality rate fell from 80 per thousand live births in 1965 to 27 today. Colombian women now have fewer deaths in childbirth and fewer deaths from abortion (which is still illegal); babies are heavier and healthier, more likely to receive a doctor's attention, and more wanted, since 70 percent of all couples of childbearing age use contraception. These days, Colombian women assume that they can control a part of their lives they used to accept as *lo que Dios me mande*—whatever God sends me—a development of truly revolutionary implications. *Estoy planificada*, or "I am planned," has become part of the Colombian vocabulary.

Profamilia, now the second largest private family planning organization in the world after Planned Parenthood Federation of America, is the reason for these public health successes. "It's a model," says Arthur Danart, a population expert at the U.S. Agency for International Development (AID), one of Profamilia's major funders. "It's one of the most successful programs the world has ever seen."

"You can go to the most remote regions of the country, where there is no water and no electricity, and you see Profamilia's little green flag," says Amparo Sánchez, who works at Women's House, a Bogotá shelter. Profamilia's pilot clinic in the same city—one of 48 scattered across the country—is the world's largest. By 7:30 a.m., the clean, cheery building is packed with women (and a few men) waiting for counseling, gynecological exams, birth control, pediatric consultations, or legal advice at modest prices. Colorful posters hang on the green and white walls: "A Real Man Doesn't Go Around Sowing Children in the World!"

Colombia still lacks the resources to solve basic social, economic, and ecological problems. But Colombians shudder to imagine the extent of those problems had the country not avoided at least four million unwanted births over the past 25 years, the vast majority in families too poor to care for their children. While conservatives lobby to defeat programs like these around the world, one need only look at India and Bangladesh to see why Profamilia matters. Its success against the odds makes it a lesson for organizers and policymakers not just in the Third World, but everywhere.

## Contraceptives calling

In 1965, Dr. Fernando Tamayo routinely provided contraceptives to the wives and daughters of presidents and cabinet ministers he saw in his private practice. Yet at the state-run hospital for the poor where he also worked, the circumstances were painfully different. "I saw mothers curse their newborn children—they couldn't afford to take care of them," Tamayo said. "But I wasn't allowed to prescribe contraception at the hospital; it was considered immoral."

Some of his wealthy patients told Tamayo that their cooks and maids were desperate to have IUDs or diaphragms, and Tamayo began to stay after hours to help them. In September 1965 he hired another doctor, and the pair set aside two days each week to provide inexpensive contraception to poor patients. By the next year, they had formed a nonprofit corporation to train other doctors, received a grant from the International Planned Parenthood Federation (IPPF), and were seeing more than 800 patients a month.

Colombia did not react warmly to Tamayo's efforts. Although he had political friends eager to assure that their wives' gynecologist wouldn't lose his license, Tamayo was nearly kicked out of the medical association. And while the government was worried that population growth would hamstring Colombia's development, it was unwilling to take on the political and financial challenge of promoting contraception. Although the political left, suspicious of Profamilia's funding from such gringo sources as U.S. AID, was hostile, the government's major worry was the Catholic Church: not the parish priests and nuns (many of whom were openly enthusiastic), but *los perfumados*—the perfumed ones—in the singularly



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conservative Colombian hierarchy. Yet among the poor and middle classes, there was an indisputable need for contraception, Catholicism or no. As more women entered the workforce and families gravitated to the cities, children were no longer an economic asset, but a liability.

Tamayo carefully positioned himself to navigate Colombia's political shoals. In the first years, he assembled a governing board of prominent business, political, and medical leaders—a board that might establish contraception as a legitimate public good and sustain the support of foreign funders. "It was the golden age," Tamayo said. "The IPPF and AID had plenty of money, and there were only a few serious organizations that could use it." His was one of them. And before long, the Colombian government decided it was happy to have a private organization do the work.

From the beginning, Tamayo and his staff realized that the women who needed access to contraception most were those who were the least informed. He decided to advertise Profamilia's services on the radio, the one medium that reaches all Colombians. His counterparts in other countries were outraged. Lindsay Stewart of the IPPF recalled a 1969 meeting of IPPF's Latin American affiliates: "One director was banging his shoe on the table like Khrushchev, yelling about Profamilia's radio ads: 'We can't sell family planning like Coca-Cola!' . . . Now, of course, everyone does it."

Following up on the radio appeals, Profamilia instructors appeared in factories, union halls, and schools, using everything from filmstrips to puppet shows to promote contraception. Doctors traveled in vans to remote villages to perform sterilizations. (After a medical brigade was arrested at an army outpost and held for two days, the practice changed; now vans pick up women who want the operation and take them to a clinic.) Most important, however, Profamilia made birth control widely available by selling condoms and pills wholesale to thousands of small stores and pharmacies. Instructors—Avon ladies of contraception—knocked on doors in every community.

"They almost lynched me at an IPPF meeting in 1972," remembered Tamayo. "How could I give out pills without a complete medical exam? I kept repeating that it's much riskier to have children than to take the pill, that half a million women die each year in the world due to complications from pregnancy. Now that we have low-dose pills, almost everyone in Latin America is doing exactly what we do."

Among the initial skeptics, however, were Colombian women themselves. "Women realized that they couldn't feed more children," remembered Mercedes Martínez, an instructor who worked in the rural province of Cundinamarca. "But they'd say, 'My husband doesn't let me plan. He thinks I'll prostitute myself.' I'd explain that you can take pills or have an IUD inserted without your husband finding out."

And then there was religion. "They'd say, 'God sends children, and we shouldn't interfere,'" Martínez said. "I'd say: 'God also sends scientific methods so we can plan our families.'" One by one, city by city, Profamilia began to convince.

The work of persuasion is by nature delicate, and Profamilia's zeal may have at times carried it over the line. Women's House's Amparo Sánchez said that in the early seventies, Profamilia worked with the government in a program to provide milk and other nourishment to new mothers—as long as they used contraception. "That was hitting women at their most vulnerable moment," Sánchez said. But over the years, Profamilia's tactics—and sheer ubiquity—have made it a respected and fundamental part of Colombian life. In 1986, when Pope John Paul II—well known for his opposition to contraception—visited Colombia, he did not once in 27 speeches mention family planning. This time, Profamilia was the powerful institution to be appeased.

When Profamilia questioned the conventional wisdom—say, "Catholics don't want contraceptives"—it often ended up creating a new one. It was the first organization in Latin America to sell contraceptives over the counter, the first to use paramedics for such procedures as inserting IUDs, the first to offer voluntary vasectomies and tubal ligations, and the first to depend on local volunteers like Blanca Ruth.

Like many Profamilia volunteers, Blanca Ruth and her father distribute birth control from their store. Once a month, Mercedes Martínez stops in to collect records, answer questions, and replenish the stock. "A lot of girls, even 13 and 14, want information but


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don't want to go downtown to visit a doctor, so they come to me," Blanca Ruth says. "They're shy! People die of embarrassment talking about sex—I tell them it's just normal. I get them to sign up for pap smears. I answer their questions, and they buy condoms and pills and antiparasite medicine. We even have some men who decided to have vasectomies. . . . They don't want to work hard enough to feed more mouths."

When Profamilia has a new film—AIDS and parasites are recent topics—someone from Profamilia leaves Blanca Ruth a message at the factory across the street. "Then I go from house to house, telling everyone about the movie," she says. The shack that serves as a cultural hall is always packed.

Profamilia's reliance on local volunteers like Blanca Ruth is not only a smart way to promote contraception and create local women leaders; it's also a management necessity. Funds from international donors are drying up, redirected to Africa and places in Latin America where the need is greater. Now Profamilia raises more than half of its $9 million budget from contraceptive sales and clinic fees in Colombia, using the money to run an increasingly diversified operation.

Today, eight new Profamilia clinics serve only men: A vasectomy costs $5 for those who can't pay more. In high schools there are lectures and counseling sessions about contraception, pregnancy, and AIDS. Legal offices provide lawyers in domestic violence and child support cases. HIV-infected men speak about AIDS in gay bars, and lawyers have gone to brothels to talk about legal rights and AIDS. (María Isabel Plata, who founded Profamilia's legal clinic, recalled, "The prostitutes didn't even get up from their beds.") There is even an infertility clinic in Medellín that is noted for performing South America's first in vitro fertilization.

Profamilia's innovations often come from people in the field. The clinics for men were the idea of a director in Cali who noticed that men disliked waiting for an appointment in a clinic full of women. But management's trust in its staff has another, less tangible benefit: It contributes to the organization's crusade spirit—its *mística*. "Not everyone can do this," said instructor Mercedes Martínez. "It's a calling." From the door guards who expound on the virtues of contraception to top management, Profamilia's staff shares Martínez's *mística*.

While Profamilia's democratic management style is peculiarly gringo, Colombians, as the world has had occasion to note, have a knack for business. Administration costs are below IPPF's average, and expensive new technology is avoided. "If I had just one recommendation for new organizations in this field," said Tamayo, "it's 'run it like a business.' "

"The organization is very self-critical," said Timothy Williams, project analyst at IPPF. "They make managers pay attention to what's going on in the field." Every month, instructors visit distribution posts and talk to clients and volunteers. Hard research supplements the shoe leather. ("The only thing in Colombia anyone has reliable statistics on is sex," said Amparo Sánchez.) For instance, when Profamilia's surveys found that contraception was pervasive enough to obviate door-to-door visits, it dropped the practice. But when research shows that a community's contraceptive use is dropping without those visits, the Avon ladies reappear.

## Play mística for me

One test of Profamilia's staying power will be what happens after the 69-year-old Tamayo retires. But the organization's success should offer hope to fellow Latins, Africans, Asians—and Americans. Government and private-sector family planning officials from the Third World, Australia, and Europe have already come to Colombia, studying everything from Profamilia's advertising campaigns to its warehouse management. Yet while they go back inspired and informed, they are not always ready for action.

Why not? Even when the public will is strong, not every country enjoys the harmonic convergence of need, funding, and leadership that made Profamilia happen. Money is short, governments are suspicious, and politics often intervenes. "I just spent four years in east and southern Africa," one family planning expert told me. "There was precious little going on except in Kenya, Zimbabwe, and Botswana. People in Ecuador and Peru are wonderful, courageous, but they are not organized." The key, family planning experts agree, is indigenous, *mística*-driven leadership like Profamilia's—with its Fernando Tamayo and a thousand Blanca Ruths.

Blanca Ruth takes me to visit Amelia, a garbage picker in Comuneros with just two upper teeth and an improbable wool beret. Amelia had seven children but only four lived. Now, at 57, she shares a house with two of them, their spouses, and four grandchildren. They never miss a Profamilia film.

Amelia gives me a tour of her house. The beds are in rooms as small as train berths, heaped with filthy sheets. There is one bed for Amelia, one for each couple, one for the four children. A center room serves as bathroom and kitchen. Amelia apologizes for the mess. "I have chickens, cats, and dogs in there," she says. "The dog is about to have puppies."

"What?" Blanca Ruth recoils in mock horror. "You don't have her *planificada*?" The two women break up laughing. □



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# WHO'S WHO

In the early days of the Bush administration, White House sophisticates tended to make fun of **C. Boyden Gray**, dismissing him as a nice lightweight or, more harshly, as a fruitcake. But now they're calling up friends and whispering, "Never tell anybody what I said about Boyden." The reason is that **George Bush** selected Gray as his enforcer when he wanted to rebuke his two most powerful subordinates, **James Baker** on his Chemical Bank stock and **John Sununu** on his air travel. . . .

When the State Department can't figure out what to do with a senior foreign service officer—and doesn't want to risk an embarrassing congressional confirmation hearing—the post of final resort is diplomat-in-residence at a university. This may help explain why **April Glaspie** will occupy that position at the San Diego campus of the University of California. She will retain the title of ambassador that she held in Iraq. . . .

It is fortunate that George Bush did not experience a health problem the night of the White House Correspondents Dinner, because, a reliable source tells us, the president's physician, **Burton Lee**, was "obviously drunk" at the dinner and was pawing women in a manner embarrassing to those around him. . . .

Assuming the confirmation of **Robert M. Gates** as director of the CIA, the White House is planning to name Admiral **Jonathan T. Howe** to be deputy national security advisor. The last admiral to hold that post was **John M. Poindexter**. . . .

Speaking of Gates and Poindexter, most people here are convinced that Gates is not going to be able to get away with denying knowledge of Iran-contra. Both a memo from Poindexter to **Oliver North** and subsequent testimony by Poindexter indicate that Gates was at least told that the contras were being illegally supplied by the North network. . . .

Perhaps Gates will seek to excuse himself with the line his predecessor as head of the CIA, **William Webster**, used when asked why *he* had been so incurious about Iran-contra, "I am not an investigative expert.". . .

Former drug policy director **William Bennett** hired **Reggie Walton** to stump nationwide for the administration's crime bill. But Bennett's replacement, **Bob Martinez,** became angered that Walton repeatedly skipped staff meetings to attend to his duties. Martinez forced the aide out. White House spokesman **Marlin Fitzwater** has employed Walton in his office. . . .

Conservative Republicans are angry that President Bush has campaigned for turncoat **Buddy Roemer**, governor of Louisiana, who may have switched from Democrat to Republican, but who also vetoed two anti-abortion bills. The conservatives consider Bush's embrace of Roemer to be further evidence of his malleable views on abortion. . . .

**Brian W. Clymer**, the head of the Urban Mass Transportation Administration, recently visited Hawaii, which is seeking a grant from UMTA. Observers here are curious about the coincidence that island hotels never charged him more than the $97 the government reimburses for official travel, even though he occupied accommodations that ordinarily command as much as $525 per night. . . .

Labor Secretary **Lynn Martin**, a former Illinois congresswoman, knows too well that Senate confirmation of high-level administration nominees can exact a policy price from Senator **Ted Kennedy**, who heads the Labor Committee. So Martin held off on sending up the names of her proposed deputies one at a time and prepared to request confirmation en masse. This way, she may pay a price to the Democrats but at least has a chance for a discount. . . .

The real scandal involving Comptroller of the Currency **Robert Clarke** will come not from his outside investments, insiders say, but from the fact that his office regulates banks more on the basis of papers furnished by the banks themselves than on on-site inspections by the OCC staff. . . .

**Bob Kimmitt** may not be out of the woods yet. The undersecretary of state is suspected of helping scuttle efforts by the Commerce Department last year to halt the sale of high-tech instruments to Iraq. And Rep. **Sam Gejdenson** also believes Kimmitt, with the possible assist of boss James Baker, may have orchestrated the ouster of Commerce aide **Dennis Kloske**, who revealed the arms sales. Gejdenson hopes to unravel the mysteries using White House documents, which he has been promised. . . .

Mutterings of "deja vu" and "uh-oh" are being heard around town from those who recall the scene of many of **Marion Barry**'s more colorful adventures. On May 25 *The Washington Post* reported that Mayor **Sharon Pratt Dixon** "left town yesterday for a week-long vacation on St. Thomas in the Virgin Islands." . . .

**In**—*White House:* Member, Council of Economic Advisors—**David F. Bradford**. *Labor:* Assistant Secretary for Labor Management Standards—**Robert Michael Guttman.** *State:* Ambassador to China—**L. Stapleton Roy**. Ambassador to Belgium—**Bruce Gelb**. Ambassador to the USSR—**Robert Strauss**. Voice of America, Director—**Chase Untermeyer**.

**Out**—*White House:* Member, Council of Economic Advisors—**Richard L. Schmalensee**. Executive Secretary for Cabinet Liaison—**Michael P. Jackson**. Personnel Director—**Chase Untermeyer**. *Justice*: Attorney General—**Richard Thornburgh**. *Labor:* Deputy Secretary—**Roderick A. DeArment**. *State:* Voice of America, Director—**Richard W. Carlson**.



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# 80 Rms, Grt Vu, No Tx

## *How property tax assessments let the rich rip off the rest of us*

by Betsy Dance and Claudia Kolker

Last year, Kingdon Gould Jr., former U.S. ambassador to Luxembourg and the Netherlands, got a letter in the mail from the D.C. government. It was a $22.1 million tax assessment for a sweet chunk of land he owned near 9th and D Streets NW. Though the land was prime space just off Pennsylvania Avenue, Gould thought the assessment—and the tax bill it implied—were a little steep. So he called on R. Donahue Peebles. A few months later, Peebles had haggled a cool *$10 million* off the assessment, saving Gould nearly a quarter of a million dollars.

It wasn't the first time Gould had turned to Peebles. Gould and Blackie Auger, then co-owners of Washington's Mayflower Hotel, had hired Peebles to ratchet down that assessment too, slicing off more than $11 million. That little maneuver cost the District $200,000 in taxes, the price of drug treatment for at least 50 people. But the developers' real payoff came this spring, when the Mayflower, assessed at a modest $65.9 million, sold for more than $100 million (although fixtures, silverware, and other items were thrown in).

If death is still an inexorable standard in the District, property taxes for the rich are amazingly negotiable—especially when they hire a Peebles. While all city buildings must by law be assessed within 5 percent of market value, the 31-year-old Peebles, a friend of former Mayor Marion Barry, doesn't sweat it. Last year, he won assessment reductions from the D.C. government in almost 90 percent of the cases he brought before it—keeping millions of dollars from the coffers of the financially strapped D.C. government. But when eyebrows rise at his success, Peebles cries foul: "No one ever criticizes Michael Jordan for being the best. I'm doing nothing wrong except to be the best. If that ruffles the feathers of the WASPy business community—so be it."

*Betsy Dance is an intern at* The Washington Monthly. *Claudia Kolker is a Washington writer.*



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But there's a difference between Michael Jordan and R. Donahue Peebles: Peebles takes the court with one hell of an inside advantage. Just three years ago, he was chairman of the D.C. government's Board of Equalization and Review (BER), the very board that reviews the appeals of developers like Auger and Gould. During Peebles's tenure, he personally oversaw the appointment of 10 of the board's 15 members—an arrangement that simplified matters for him when he became the guru of D.C. tax reduction.

Nor is Peebles the only person to work both sides of the District's tax assessment business. Thanks to a growing cottage industry of real estate attorneys—many still dizzy from the D.C. government's revolving door—city building owners sliced more than $35 million from their taxes last year, and tens of millions more every year from 1986 to 1989, when D.C.'s commercial real estate market was booming.

**"Board members simply didn't care about residential cases," explains a former member. "They were bored."**

If that's good news for developers, it's devastating for the District, which counts on property taxes for a quarter of its budget. Last month, it announced plans to cut welfare payments to single women with kids.

But developers aren't the only ones making out at the expense of the poor. Whenever the possibility of lawyers looms large—whether in cases involving developers or simply the wealthy—defensive city estimators guess low. "Higher-priced properties tend to be underassessed more often," says Matthew Watson, former D.C. auditor. "An assessor will tend to be gun-shy on expensive properties, because underassessing means they're less likely to get an appeal and have their work questioned. It's a normal thing to avoid getting questioned as much as you can." Hence the absence at appeals court of prosperous homeowners such as magazine publisher Bill Regardie, whose house is market-valued at $1.5 million and assessed at $760,000; real estate tycoon Calvin Cafritz (MV=$2.8 million, AV=$1.5 million); and Attorney General Richard Thornburgh (MV=$475,000, AV=$249,635). Oh, and Mayor Sharon Pratt Dixon, whose assessment of $253,000 is nearly $100,000 less than her home's market value.

"Familiarity has a lot to do with it," speculates local housing attorney Eric Rome. "People tend to give good breaks to people they know." (Attorney Brendan Sullivan's assessment of $700,000—$1 million less than market value—may speak volumes about his "familiarity.") Yet Rome sees the phenomenon in context. "That's part of our system," he shrugs. "This whole town runs on that kind of juice." If you're not well known, connected, or lawyered—well, no juice.

About the same time Gould received his annual letter, another longtime resident received his. Like Gould, he thought the assessment on his row house was a little too high; the current asking price for his neighbor's identical house was $6,000 less than his own assessment. So he took the recommended first step in making an appeal—calling the assessor. She told him to call her back if the identical house sold—which it promptly did, at the asking price. Thinking he was in for a $6,000 reduction, the man called the assessor again. Five calls, 10 calls—no answer. Finally, in frustration, he contacted the woman's supervisor, who promised prompt action. He waited. Nothing happened. By this time, tax appeal season had almost ended. He gave up and paid the tax.

"The system tends to neglect residential properties. It's not friendly to homeowners," admits Peebles, who knows the system as well as anyone. "If anything could improve the process," agrees another former BER member, "it would be to provide a fairer shake to the small homeowner."

But to Iverson O. Mitchell III, the new head of the BER, the system is just about as sound as it can get. "I don't think that any system could be designed to please everyone," he says. And the record makes it perfectly clear which folks the system aims to please.

## How appealing

Every year, the District mails all its property owners—commercial and residential—an assessment for the upcoming year; those numbers determine each owner's tax bill. For single-family homes, the city's procedure is simple but crude: A rough calculus factors in past assessments, market trends, and the sale prices of nearby homes. The inevitable errors made in the process are what the BER, composed of five-year mayoral appointees with real estate backgrounds, is supposed to correct.

When the Capitol Hill house next door to Barry Hayman's mom sold for $170,000 in 1987, her assessment suddenly jumped to $150,000, even though the two Civil War era dwellings were in profoundly different condition. At first, Barry Hayman tried calling the assessor to straighten things out for his mother, but his queries went unanswered. So he got out a camera and some paper and prepared a dossier for the BER.



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"The former owners restored their house perfectly," he wrote, "with new floors, circuit breakers, central air-conditioning, a darkroom, recessed lights, a brand new kitchen, even electricity to their garage."

His mom's house, Hayman asserted, had been untouched since the fifties. The stairs tilted into the parlor, the fixtures were antiquated, the kitchen lacked a dishwasher, the pine floors had never been sanded or carpeted, and the unfinished basement consisted of dirt walls and floor. And then there were the snapshots. "I thought the photographs said it all," he says. "Some of this stuff gets a little gray, but this one should have gone through."

Instead, after appearing before a BER panel, Hayman received a form with two handwritten lines. "Insufficient evidence to justify a reduction," it said. "Property found to be in equalization." His mom paid her tax.

There's an old crank quality to folks like Hayman who obsess over their tax assessments; while their numbers are few, their photos, graphs, and conspiracy theories are many. Yet a surprising number of D.C. homeowners, fanatic and otherwise, have tales of assessment frustrations: the figures that jumped inexplicably from one year to the next, the assessments that turned out to be $16,000 more than the sale price a month later. But only 2,096 of D.C.'s 122,000 residential owners wound up before the BER last year. The vast majority of those with complaints simply give up in the face of the unresponsive board.

"It takes an anal retentive to do these things properly," says Hayman, who now helps other citizens appeal. "I don't think most citizens could do it. It's pretty complicated to accumulate and process the information."

But even when you get your numbers right, you may still find yourself on the wrong side of a BER decision, because, compared to the well-heeled lawyers, little guys like Hayman can be pretty annoying. "I went on that board expecting to bring some justice to residential property owners," recalls a former BER member. "[But] I have to admit that after I had been on the board for the first year and had the opportunity to hear commercial cases, they were much more interesting. They were for big dollars. Board members simply didn't care about residential cases. They were bored."

Far more interesting are the city's 45,000 office buildings and their owners, a significant number of whom appeal their assessments before a spindly D.C. government staff. Last year alone, 19 government assessors squared off with owners or representatives of 901 office buildings. By the time the game was over, the D.C. government was out $36.8 million dollars. One Wisconsin Avenue building owner represented by Peebles actually got his assessment reduced twice in one month—from $7 million to $5 million and then to $3.3 million.

The local Apartment and Office Building Association thinks these assessments are fine. Assessments get reduced, they explain patiently, when assessments are too high. But citizens see it another way. "We pick up the difference," snaps homeowner Judy Rosenfeld, who has watched her tax assessment shoot up 216 percent in four years while numerous office buildings around her talked their way into rollbacks. For the city, "we're the goose that lays the golden egg."

## How the other half lives

The Augers—Blackie, Lulu, and their three kids—have millions riding on their D.C. tax assessment: They own or co-own at least a dozen downtown properties including Blackie's House of Beef, Déjà Vu, and two prominent hotels. Around tax time, they've hired Peebles to keep every cent they can out of the government's grasp. Peebles isn't cheap—he takes a nice percentage of the tax savings for himself—but the investment clearly pays off. In 1990, he reduced the Augers' land assessment at 22nd and 23rd Streets NW from $28.5 million to $10.6 million. That same year, he trimmed the assessment on a property at 2115 M Street NW from $34 to $31 million. In 1991, he took the assessment on the same property from a proposed $36 million right back down to $31 million. For the Augers, that meant about half a million dollars to spend on something more interesting. To the city, it meant forfeiting the rough equivalent of six months of intensive job training for 125 unemployed youth.

Mind you, Peebles isn't the only tax shark in the BER sea. Powerful firms like Wilkes, Artis, Hedrick & Lane; Amram and Hahn; Arent, Fox; and a dozen others do a brisk business during tax season, making sure developers and wealthy homeowners give as little as possible to the city. And they, too, have their inside advantages. Robert Klugel, former chief of the D.C. government office that oversees assessment policy, now presents cases before the BER as a consultant for Marvin F. Poer & Co., one of the region's largest assessment appeals specialists. ("All these people are friends of mine," he said recently of the BER.) Former member Ted Wade sometimes shows up at hearings as the Wilkes, Artis expert witness. And BER member Michael H. Jackson, who left the board in 1988, was bringing cases before it the very same year.

For the lawyers and other wizards such as Peebles, the incentive to fight for a hefty rollback is high



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because they often work on commissions of anywhere from 10 to 35 percent. And thanks to the the vagaries of BER rules and a stunning absence of any official documentation for D.C. assessment decisions, they have plenty of room to work their magic.

By all accounts, office building appraisal demands more art than science: Commercial property owners may successfully dispute anything from rent figures to the tenor of the neighborhood to the price of a good view, gradually chipping away at the assessment. While residential assessments often reflect the sales prices of neighboring houses, commercial owners have the luxury of pleading exceptions based on, among other things, the income they generate, the amount they've shoveled into improvements, and downturns in business. Because many commercial assessment appeals involve proprietary information, virtually all of these discussions are shrouded in secrecy. But the net result of such negotiating is illuminating: Nearly 30 percent of appealing office building owners manage to roll back their assessments.

**Attorney Brendan Sullivan's assessment of $700,000 —$1 million less than market value—may speak volumes about his familiarity.**

Paul Hayes, who left the BER in 1988, explains how the board makes decisions. "Each committee—normally two or three people—would schedule one hearing every 10 or 15 minutes," he says. "They'd hear probably in the neighborhood of four an hour for six or seven hours. At the end of the day, they'd discuss the cases among themselves, and one would be assigned the responsibility of writing out the decision by hand. It would be four or five lines at most. Frequently they were one sentence—'Petitioner failed to document case sufficiently.'"

With developers, that one sentence didn't come up too frequently. And for those seeking an explanation of why D.C.'s property tax revenues were $36.8 million short of expectations last year, sending the city government scrambling to curtail programs, this sentence may suffice: "Reduce, board concurs with the petitioner evaluation."

Among the perennial big winners in this BER giveaway is the ABC News headquarters at 1717 DeSales Street NW, which lopped $15 million off its assessment in four years. Wilkes, Artis helped the Arnold and Porter building at 1200 New Hampshire Avenue NW slice $47 million from its bill in three years. During the same period, the assessments of two buildings owned by Calvin Cafritz were reduced by $54 million. And two office buildings owned by megadeveloper Charles E. Smith (2101 L and 1101 17th Streets NW) were rolled back $28 million.

To understand the process, however, you have to see it at work. So follow master-rollbacker Peebles to BER headquarters at Judiciary Square, where he explains to a three-member panel that what really diminishes the value of his client's building is a subway stop. Who'd want a building on top of the Metro station? You can't put a parking lot in it.

"I drive," explains Peebles. "My secretaries drive. It's more desirable to push a button and take the elevator downstairs." He pauses a moment, and then comes up with a better argument. "It's more desirable to not be exposed to the elements. My staff would agree."

Perhaps the board is dumbfounded by the brashness of the argument. Or perhaps they aren't really listening. That would explain why no one asks the most obvious questions: What about the revenue that will undoubtedly pour in from the subway—the businesses that will inevitably open nearby? What about the tremendous convenience of getting to work? Those benefits simply don't come up.

Steven Skalet is a tax assessment attorney who unhappily lacks Peebles's inside track. "The bad publicity BER gets is warranted," he says. "There are wide discrepancies in assessments and on appeals—decisions based on a lot of factors, from the quality of the presentation to how the panel feels about the property. . . . A lot of it seems to be based on how the members *feel*."

How must BER members feel, one wonders, when their former chairman, Peebles, who put many of them in their seats, pulls up to the table and tells them, "Hey guys, listen, this building's on top of a Metro. I wouldn't call that some kind of money-maker, would you?" But without a paper trail, there's no way to know anything about those members' feelings—or anything else.

This year, the assessment office even stymied a citizens' group's efforts to get *general* data for its annual neighborhood survey. "We were stonewalled," says Luis Zapata, co-chair of Citizens for Fair As-



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sessments. "They kept promising us the data. Finally, when it was too late for our study, they promised it for next year."

## True concessions

Thorough, publicly accessible records of assessment decisions—even if they existed—would tell only part of the tax assessment story, though, since folks like Peebles obtain most of their breaks from the D.C. government before they even get to BER's table. During tax years 1990 and 1991, the bulk of Peebles's cases—and by far his biggest rollbacks—were won when the D.C. government simply acceded to his clients' complaints.

Commercial cases reach the BER only after savvy owners have gone through the Department of Finance and Revenue's (DFR) "stipulation process," in which a petitioner can win a reduction by claiming that the assessment was based on an "administrative error." City assessor Beatrice Gaines explains what that means. "If there was information missing at the time of the assessment, if the taxpayer comes in with plans and shows that our dimensions or story heights were inaccurate—that changes things. That's a gross building error. They are administrative errors, mathematical errors."

Such adjustments sound innocuous. They're not. Take the "administrative error" at 4000 Wisconsin Avenue NW that caused the assessment to plummet from $52 million to nothing in 1988. Although hundreds of customers were streaming in nightly to see *Broadcast News* and *Tequila Sunrise* at the building's theater complex, the owner argued that the roof was incomplete. At the time, D.C. code held that a taxable building had to be "erect and under roof," or 100 percent done. While the building was under enough roof to show movies on six screens, the ballast hadn't been laid. The D.C. government gave in—giving up more than $1 million in taxes.

The stipulation process is perfectly built for informal bribes, since assessors work by neighborhood and building type. Most of the big, classy downtown buildings tend to get assessed by the same tiny troupe. When Peebles got all those stipulated tax reductions, he was working with just a handful of assessors. "The assessors are in a powerful position," says a DFR employee. "They could become familiar with building owners, they could get chummy with petitioners or their representatives. There's lots of power in the assessor's hand."

Of course, so many "administrative errors" might be plausible when you consider that many of those assessors were hired with little to no training in the field. But will assessors admit administrative errors when Henry Homeowner complains? "Residential properties are rarely stipulated," says Peebles. A BER official is even more frank: "Never, in my experience."

When questioned about his success, Peebles points out, "I stay within the letter of the law." Exactly. Which is why that letter must be rewritten. Reducing the influence of the well-connected is the first step in D.C. tax reform. And City Council Chairman John Wilson (whose house is assessed at $90,000 less than market value) has proposed legislation toward that end. For the first time, departing BER members would be required to cool off for five years before appealing cases before the board. And current members would be required to provide written, signed justifications of their decisions. That's a perfectly reasonable start. But what follows should be a process in which tax assessment experts, lawyers, and the like are unnecessary—a process in which citizens can be heard.

Such a process exists, as it happens, just to the north of D.C., in Montgomery County. In 1974, tired of the complaints of red-tape-tangled residents and wary of all the bucks it was losing to developers, the county decided to help ensure that the Blackie Augers paid as fair a share as the Barry Haymans. So it established an Office of the Public Advocate—not just to train citizens how to appeal their own assessments, but also to keep developers from skirting their financial responsibility to the city. The scrappy office of four has a 50 percent success rate with its appeals.

But until D.C. is willing to close the loopholes that allow the big guys to get away cheap, the taxpayer whose name lacks the ring of a prominent family or developer—an ordinary person like, say, Constance Stonestreet—will have to pay the difference. This May, in a room down the hall from where Peebles was pleading a case, Stonestreet and her cousin sat down to discuss their storefront church on a boarded-up stretch of Georgia Avenue. Their assessment more than doubled from 1988 to 1991, and while their neighbors pay $26 and $19 per square foot, they pay $48. They appealed. They proferred graphs, comparative analyses, old assessments, measurements, and photographs. Step by step, they laid it out, and then they waited.

"Insufficient documentation," said the BER a few days later.

BER may have had a perfectly good explanation for forcing Stonestreet to pay the full assessment. It may have an even better reason for forfeiting tens of millions a year to the wealthy while the average man—and anyone dependent on government programs—gets screwed. The problem is, guys like Auger, Gould, and Peebles may be the only ones who know exactly what those reasons are. □



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# Patron Saints

## *How honest political machines can humanize government*

by Lois Forer

When Rosie was wheeled into my courtroom, I was horrified. Here was an elderly, one-legged, unemployed woman who had been in jail for more than five months awaiting trial. Her crimes—arson, recklessly endangering others, and risking a catastrophe—sounded serious, but still, she should have been released on nominal bond. The purpose of bail is simply to secure the appearance of the accused at trial. Where and how could Rosie flee?

I asked the public defender, who had received Rosie's case file the previous evening, why Rosie had been held. He said that wasn't his concern. Such decisions were made by the bail project, which, like the public defender's office, is a publicly funded, nonpolitical agency. The employee who had recommended that Rosie be denied bail explained that she did not meet the criteria for release: She had no job, no family, no telephone. She had lived in her residence for only a month. He had followed the guidelines, discharged his obligation. He had no special responsibility to Rosie.

Why had Rosie turned to crime? I discovered that she had moved to an unapproved apartment after the redevelopment authority condemned her house. The lock on her apartment door had jammed, and Rosie was trapped inside, without a telephone. She opened the window and shouted to her neighbors for help. But amid the din of television sets, playing children, domestic fights, and the first-floor bar, no one heard her. In desperation she placed a wastebasket on the window sill, put a piece of old newspaper in it, and set it on fire. That got her some attention. Although the fire was out by the time the firefighters broke down her door, Rosie was arrested.

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*Lois Forer is a retired judge of the Court of Common Pleas of Philadelphia and author, most recently, of* Unequal Protection: Women, Children, and the Elderly in Court. *Research assistance was provided by Betsy Dance and Pat Davis.*



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The whole fiasco could have been avoided, of course, if Rosie had been moved into a proper home. I asked the civil service social worker who was supposed to relocate Rosie to an approved dwelling why she hadn't done her job. "She was not polite to me," the worker explained. And where was the $6,000 the city owed Rosie for her condemned house? That had not been paid to her because she had not come to the office to request it. No one went looking for her.

What had gone wrong? Conservatives might say Rosie's story demonstrates yet again what happens when the government bureaucracy tries to deliver services that the private sector should provide. Liberals might argue that only the government can ensure that people like Rosie don't fall through the cracks—but that in this case, the civil servants were probably overworked, underpaid, and given too little respect by the government they tried to serve. Both groups would be partly right. Yes, the community should be more involved in providing services. And yes, you still need an activist government to pick up the inevitable slack. How can we bring the two together?

By bringing back machine politics. Now, I realize that when most people think of big-city political machines, they think of sleek fat men smoking cigars and striking deals—of governments that were even less responsive to the people, not more. But as a young lawyer and volunteer committee person in Philadelphia, I saw how a patronage system benefited ordinary citizens. Today, politicians campaign against the bureaucrats, but once elected they can do little to compel the city hall drones to work for the people who pay their salaries. Those bureaucrats, after all, are protected by civil service rules that were intended to end the abuses of the machines but instead have come to insulate public employees from both the politicians and the public.

Civil service reforms have also drastically increased the cost of political campaigns. Because politicians are less able to barter services to constituents for their votes or jobs to campaign workers for their voluntary services, they have become much more dependent on big fundraisers (in particular the political action committees) to cover the costs of their advertising and professional campaign staffs—a change that has further insulated them from the public.

By contrast, a generation or two ago, when politicians were able to hire and fire public employees more freely, those politicians were directly accountable for their subordinates' performance. That meant committee people, as party representatives elected from various neighborhoods, had to act as advocates for their communities, making sure constituents received fair treatment from government agencies and personally filling in where government fell short. In addition to party officers such as committee people, ambitious young men and women would volunteer to serve on campaigns in the hopes of finding exciting work in the new administration if their candidate won. And when they did get patronage jobs, these erstwhile volunteers were dedicated to putting their candidate's platforms into practice.

This system produced not only better government in the short term, but generations of leaders drawn from the worlds of the people they served. The decline of the political machine has left the poor with no one to help them negotiate the icy corridors of government and little interest in going to the polls. They have been disillusioned and effectively disenfranchised by the very agencies that were created to



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serve them. As a result, both "politician" and "bureaucrat" have become terms of opprobrium.

When I was a committee person, Tyrone's mother worked for my neighbor, Sally. One night, Sally called, frantic, to say that Tyrone had been arrested and was being held in custody. His mother had no money for a lawyer and was desperate to get him out. He was 18 and epileptic; she feared he might have a seizure if he were held overnight.

I went to the police station at once and got him released (into Sally's custody) on nominal bail. Six months later, when Tyrone's case came to trial, the charges were dismissed because the complainant failed to appear. Tyrone did not miss a day of school and he was not subjected to the trauma of prison. What did I get in return? Sally's husband retained me as his lawyer on several small but lucrative matters. More important, Sally became a devoted worker at the polls.

Several years later, when I was a judge, I encountered another 18-year-old charged with a crime, a young man brought into my court for robbing a neighborhood bar. Willie Williams had been in custody for months awaiting trial. He was being represented by the public defender. The prosecutor was a young man, new to the city. We were an hour and 45 minutes into the trial when Willie took the stand and began describing the route he'd taken to get to the bar. I interrupted him:

"If you were going to a bar on 48th Street, why did you take the bus heading to Third Street?"

"I wasn't going to a bar on 48th Street," he replied. "I was going to a bar on 15th Street."

We then discovered that this Willie Williams was not the defendant in this case. He was charged with a different robbery. Another Willie Williams was accused of this crime. This Willie's lawyer had never seen him before. The prosecutor didn't know one neighborhood from another. Both lawyers were just doing their jobs.

This was a familiar pattern. I frequently heard cases of young men and women who had been held in custody for months awaiting trial. They had been seen by one assistant public defender at the preliminary hearing, another who filed the application for bail reduction, and still another who tried the case. These defendants were scrupulously accorded their constitutional rights. Each was represented at public expense by a lawyer—or a series of lawyers. Many were released after trial for want of evidence, or convicted of relatively minor offenses and placed on probation. But in every instance, the defendant had been hurt by the long stay in jail. Mothers lost children to the foster care system. The employed lost their jobs. Those in school often dropped out because they had missed so many days that they would have had to repeat a grade. When such people get in trouble today, concerned women like Sally no longer call their committee people; they refer the mothers to the public defender. They are no longer active in politics. They do not see the point.

## Ward healing

The committee person for decades was the linchpin of American politics, the elected local party representative who mediated between the voters and their government. Under that system, even the most indigent derelict in a community had something that was valued: his vote. In exchange for that precious commodity, the citizen could expect consideration and decent treatment. George Washington Plunkitt, the notorious Tammany Hall boss, once explained the enlightened political self-interest that drove the system: "If a family is burned out, I don't ask whether they are Republicans or Democrats, and I don't refer them to the Charity Organization Service, which would investigate their case in a month or two and decide they were worthy of help about the time they are dead from starvation. I just get quarters for them, buy clothes for them if their clothes were burned up, and fix them up 'til they get things runnin' again. It's philanthropy, but it's politics too—mighty good politics. Who can tell me how many votes one of these fires brings me?"

When I was a committee person, I, like my colleagues, performed innumerable services for my constituents. When there was a dangerous street crossing near a school and the people wanted a stoplight, I went to the authorities and pleaded their cause. When my constituents' garbage wasn't being collected, I fought for them. If citizens objected to a bar or rooming house planned for the neighborhood, I represented them, usually without fee. And at election time my neighbors generally voted for the candidate I recommended.

Committee people saw to it that the residents of their districts went to the polls. If a young mother needed a baby-sitter so she could get out to vote, we found one (a volunteer). We provided free transportation for the sick and elderly. In the weeks before elections, we distributed leaflets explaining the issues and describing the candidates. We also spoke at schools and civic associations.

While some committee people were selfless do-gooders, many expected some return for their services. This is where patronage came into the picture: A loyal party worker was entitled to a job from the city or an appointment to a commission or board (not necessarily paid positions). And there were other,



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less tangible benefits to party work. As committee people, we influenced elected officials and party leaders—even congressmen and senators—because ultimately we controlled the votes.

Party service could also be lucrative. In those days lawyers were not permitted to advertise, so young ones (myself included) found politics a great way to attract clients. When I represented a civic group or organization without a fee, I often received a call later from a member seeking assistance in getting a divorce, buying a house, or drawing up a will.

Of course, not every political employee was honest and hardworking. Some were pure goldbrickers, like "Sam," a former Chicago precinct worker quoted by Mike Royko in his book, *Boss*: "In those days to succeed in politics you sometimes had to bash in a few heads. The Republicans in another ward heard about me and they brought me into one of their precincts where they were having trouble. I was brought in as a heavy, and I took care of the problem, so they got me a job at the state department of labor. The job was . . . uh . . . to tell the truth, I didn't do anything. I was a payroller."

But are we better off with today's civil service? Last January, Carl Greene had to go to the press to force the D.C. government to give him work. Not that he didn't have a job—he did, as a $47,000-per-year computer expert—he just didn't have anything to do. In fact, he said he hadn't done any work for seven months, burning up his time instead with long coffee breaks and trips to his health club. The new mayor, Sharon Pratt Dixon, met with Greene and assured him he'd have "challenging work" within a few days. "We don't want our employees to feel less than enthusiastic about coming to work," she said at the time. "We want them to render quality service." Six months later, Greene, now attached to the maintenance office of the housing department, says he still has nothing to do. "I was sent [here] to help with computer operations, to make the computers more efficient, but there are no computers. Periodically," he reports, "I write memos."

There is one critical difference between today's civil servants and the city workers of yesterday: Back then, public servants could be fired. That meant government service was not usually a lifetime sinecure. New employees arrived with the knowledge that if they failed or their administration was voted out, they'd be looking for work. Moreover, these new employees—at least those with more evolved notions of public service than Sam's—believed in the philosophy of the elected official who hired them. They had volunteered time to their candidate's campaign, knocking on doors and passing out leaflets, and now they had the chance to put campaign promises into practice. Today, such people don't bother to volunteer, because the brutal hours of campaign drudgery hold no promise of reward.

One of my rewards was a job as deputy attorney general of Pennsylvania, working under an activist governor and attorney general. When I discovered that hundreds of millions of dollars in trust funds earmarked for public use were being misspent, I was encouraged to go after the money. I sued scores of trustees, forcing them to build the hospitals, libraries, and schools for which the money had been donated. I sued to open institutions to the public that had been run as private fiefdoms. When my party lost the governorship, I was promptly fired because the new governor and his attorney general weren't interested in this program. That was fine with me. I didn't want to work for that administration, and I felt that the new governor was entitled to have a staff that would carry out his policies with equal passion.

## The untouchables

These vital links—between the government and the community, between government workers and their party—were severed by the reform movements that began in the federal system at the turn of the century, gradually spreading to the big cities and then, after World War II, to most state and city governments. The reformers were driven by justified horror at the evil side of machine politics—the payrollers like Sam, the bribes, the kickbacks, the sweetheart deals for favored contractors and unions. To be clean, ran the theory, government would have to be above politics. Public agencies were established to provide, at taxpayers' expense, services formerly rendered without charge by committee people. Bureaucracies staffed by civil servants proliferated. Government employees were prohibited from serving as committee people or holding office in political parties—even from doing occasional volunteer work for a candidate. At the same time, new laws began protecting civil servants from the bosses' political whims.

Today, public servants seem untouchable. In Washington, D.C., for example, the harshest punishment a worker can receive for supplying false information to his superiors, for being drunk or stoned on the job, or even for committing a crime off-hours that "discredits the D.C. government" is a five-day suspension. In Philadelphia, a court officer who worked for me misappropriated money, but I could not fire or even punish her because the process was too burdensome.

As the bureaucracy took over, committee people lost the ability to perform services for their con-



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stituents, which meant they lost their influence with the voters. Once-powerful ward leaders, unable to deliver the vote, became irrelevant. Deprived of the grassroots influence of the committee people in the neighborhoods, the political parties withered, ceding control of the selection of candidates and platforms to political action committees, big financial donors, and tightly organized special interests. Governments became, if anything, more corrupt and far less responsive to the average citizen. This was not what the reformers expected. It was, however, just what George Washington Plunkitt predicted when he imagined life after patronage. "I ain't up on sillygisms, but I can give you some arguments that nobody can answer.

"First, this great and glorious country was built up by political parties; second, parties can't hold together if their workers don't get the offices when they win; third, if the parties go to pieces, the government they built up must go to pieces, too; fourth, then there'll be hell to pay."

And hell is what many vulnerable Americans, with no one to champion their cause in government, are already paying. During my years as a trial judge, I daily observed public agencies created to assist and "empower" the weak instead treat those citizens with aloof disregard, if not disdain. One five-year-old who found her way into my court had been treated at a hospital for a vaginal infection that proved to be syphilis. A social worker at the hospital had interviewed the child, who said, in effect, that her father had molested her. The worker filed a child abuse report. Then she returned the child to her parents.

"If you had good reason to believe that the child was being molested by her father, why did you permit the father to take her home?" I inquired.

"That wasn't my job. I am only required to file the abuse report," she replied.

It was not only one social worker who felt no special duty toward this girl. At least six public or publicly funded private agencies were involved in the case. Each employee was duly qualified, nonpolitical, and, I believe, honest. They all followed the rules of their respective agencies. But none of them took responsibility for protecting this child.

That case may be extreme, but depersonalization on a more banal scale is endemic to a civil service system in which employees are expected to respond to rule books rather than constituents. Too often, public lawyers and social workers don't have or won't take the time to know the people they are supposed to help. It wouldn't take a revolution to restore accountability to this system.

Reforming the civil service rules to increase dramatically the number of patronage jobs—that is, to enlarge substantially the authority of a mayor or a governor or a president to hire and fire—would be a first and most important step. Job applicants would still be required to pass merit tests prescribed by the civil service: Clerks would have to prove they could type more than 40 words per minute; supervisors of sewage workers would have to have a background in engineering. The result would be a hybrid system that combines the benefits of civil service reforms with the advantages of patronage—a system in which, to avoid the Sams, we won't have to trample the Rosies.

## Czechs and balances

Bringing back patronage would also bring Americans back to the polls. When a clerk in a store is rude or unhelpful, the shopper at least has the power to vote with her feet. But the citizen seeking government assistance has no such choice and, hence, no way to vent her dissatisfaction. Civil servants have no reason to care about how, or even if, the disgruntled citizen decides to use her vote. Which means the citizen has little reason to care either.

When I was in Prague a year ago, it seemed that everybody in the country was eagerly awaiting his first free election. While walking in the beautiful gardens of Hradcany Castle, I met a middle-aged couple eager to speak with an American. They told me that although they were lifelong residents of Prague, this was the first time they had been in the gardens. The Soviets had declared the grounds off-limits to the natives. Still, their minds were not on the flowers but on the forthcoming election.

"It is a great responsibility," the man said.

"You see," explained his wife, "we have important choices to make. We must be sure we make them wisely."

More than 80 percent of eligible Czech citizens voted in the 1990 elections. In the fall 1990 U.S. elections, only 36.4 percent of the eligible electorate voted, despite multimillion-dollar political campaigns. In local elections, according to Curtis Gans of the Committee for the Study of the American Electorate, the turnout is even lower: between 10 and 15 percent. On their 1989 tax returns, fewer than 20 percent of Americans authorized the payment of one dollar for campaign financing, even though that dollar would not be added onto their taxes.

Americans simply don't care about politics anymore, because, as the reformers intended, politics now has precious little to do with government. We all may want good government, but these days most Americans have decided that voting just won't make it so. □



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# Ad Hawk

## *How Paul Newman and McDonald's get the U.S. government to push their products abroad*

by Doug Turetsky

All in all, Paul Newman seems like a straight-up guy—the liberal causes, the lasting marriage, those sporty little cars. It's his salad dressing and spaghetti sauce that have got us wondering. Here's an entrepreneur who commands multimillion-dollar salaries for his films, and his gourmet goodies are on the dole. Over the past three years, Newman's Own has received more than $100,000 from the U.S. government to help it hawk its products overseas.

In the world of government-subsidized advertising, of course, $100,000 to Newman's Own is barely a crouton. Through a little-known U.S. Department of Agriculture (USDA) enterprise called the Market Promotion Program, some of the biggest private corporations in the country receive *millions* each year in public money to fund ads, billboards, and supermarket displays abroad.

If it seems odd to you that the U.S. government would subsidize wine tastings in Tokyo or radio campaigns in Turkey, it's even odder which companies it chooses to fund. Despite the rhetoric with which the program was founded, many of the beneficiaries of this government giveaway aren't companies squeezed out by the unfair trade practices of competitor nations or even struggling enterprises whose survival might depend on U.S. government largess. Rather, they're some of the most powerful and profitable multinational conglomerates around—companies that don't need anyone's help (let alone taxpayers') when it comes to peddling their wares.

Take McDonald's. In the past five years it has spent more on advertising than virtually any other U.S. company. It boasts 70 billion served worldwide; in Paris, Rome, and Tokyo, young people flock to the golden arches to be seen and to drink milkshakes. Yet in 1989, Mc-

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Donald's got a handout from the feds to advertise its Sausage McMuffins in Hong Kong.

Still, McDonald's is an American company. In 1989, $287,000 in U.S. money inexplicably helped Nestle, the Swiss-owned chocolate and baby formula behemoth, promote its candy bars.

In the six years since the USDA marketing program began, nearly $1 billion in such grants have been allocated to persuade overseas consumers to buy American agricultural products—products from bovine semen to chicken breasts to cigarettes. Two-thirds of that money went to trade associations like the U.S. Poultry and Egg Export Council and the Tobacco Associates. The remaining $68 million was doled out—with minimal documentation and virtually no public oversight—to several hundred private corporations to do. . . well, nobody, including the USDA, seems to know exactly what they do.

If the amount of money wasted on the Market Promotion Program seems paltry when compared to a $500 billion S&L bailout or a $50 billion war, think of the $200 million given away last year as a small symbol of a large trend: the boom in welfare-for-the-wealthy programs during the eighties. These corporate subsidies have nothing to do with making America more competitive; they have everything to do with big business's political power.

## Corn dogs

Imagine you're the CEO of the Kansas-based Jumbo Processed Corn. One day you're paging through the latest newsletter of the regional corn-growers association when you happen upon an item offering federal money to companies just like yours. Send them a few-page description of your ideal plan for capturing the Sri Lankan corn market and tens of thousands—even millions—of government dollars can be yours. And, at least until recently, no one but you, the government, and the trade association ever had to know.

A big reason the public doesn't hear much about the millions it spends promoting cigarettes and candy abroad is that information on the federal marketing program is notoriously hard to come by—even if you're from the General Accounting Office (GAO). In 1989, when the GAO first sought the names of the companies and amounts of the subsidies, USDA claimed no comprehensive list existed. It wasn't until last year that the GAO succeeded in compiling such a list.

Why such reticence about a marketing program crafted for the perfectly reasonable mission of boosting overseas agricultural sales in the face of unfair European, Japanese, and other trade restrictions? Perhaps because some of USDA's biggest "promotional" grants went to affluent companies whose promotional efforts were going along swimmingly—tariffs or no—before the government ever offered to help.

Consider Minnesota-based Pillsbury, home of the popping-fresh Doughboy and the Jolly Green Giant. In addition to $90,000 channeled to it through a regional trade association, Pillsbury received $1.139 million directly from USDA in 1989 to market its Green Giant frozen corn in Japan. But as USDA's own magazine, *AgExporter*, notes, "Pillsbury has cultivated the Japanese market since the seventies." And while it's true that Japan enacts considerable barriers on corn used for *animal* feed, frozen people-corn appears nowhere on a comprehensive list of barriers compiled by the Office of the U.S. Trade Representative (OTR). Federal subsidies were being used to do exactly what the company had done for years, with minimal apparent difficulty, using its own funds.

What's more, Pillsbury isn't even an American-owned company. It's a subsidiary of the British conglomerate Grand Metropolitan PLC, which had a net income of $506 million when Pillsbury received more than $1 million from the U.S. treasury.

Of course, some companies—like Sunkist, a $9 million winner—*do* face significant barriers to marketing overseas. (Korea, Malaysia, and New Zealand reserve some of their most daunting tariffs for fruit juice.) But to USDA marketing program officials, the size, ownership, advertising history, and trade obstacles of a given company seem to be irrelevant. "The only people we care about are the private farmers," says one USDA staffer. "We don't give a damn about the companies." Yet when million-dollar recipient Pillsbury needed to increase production of that Green Giant corn, it didn't turn to private farmers. It simply upped the number of acres of corn it plants at its own facility in Buhl, Idaho.

Then there's the aptly named Dole companies, which swallowed some $3.9 million in federal subsidies through a variety of channels. While the California Prune Board and the California Raisin Advisory Board together kicked in nearly $2 million, the Dole Fresh Fruit Company got another $2.18 million subsidy directly from USDA. The Dole Nut Company had its own $188,000 contract with the agency. Not to be left out, the Florida Department of Citrus squeezed another $26,000 in federal funds into Dole's cup.

Now take a look at a carton of Dole Pineapple Juice. The fine print on the container reveals that the juice was made from concentrate produced in Hawaii—and in the Philippines and Thailand, where growing and harvesting costs are cheaper than in the U.S. In addition, Dole is a subsidiary of the multina-



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tional conglomerate Castle and Cook, whose fruit farms in Costa Rica, Honduras, and the Philippines are often blamed for undercutting the U.S.'s own citrus farmers.

But perhaps the most disturbing beneficiaries of the Marketing Promotion Program are those industries that, instead of facing unfair trade practices abroad, are legendary for promoting them at home—like U.S. peanut farmers. For some 50 years, those farmers have enjoyed both lucrative government price supports and strict quotas on peanuts imports—the same kind of trade practices we label unfair when imposed by other nations. You actually need a license to join the elite group that comprises the nation's peanut farmers. These protections hit taxpayers twice—in the public treasury and in the private purse. (Bought an $8 jar of Skippy lately?) But to make the public shelling complete, the farmers' trade association, the National Peanut Council, has received more than $27 million over the past six years from its friend, the Marketing Promotions Program.

At least the peanut farmers will tell the public where their money goes—to market Skippy in Korea and Taiwan and to sell honey roasted peanuts to the French. Many companies on USDA's dole won't.

William Quarles, a vice president with Sunkist, gets testy when asked how he spends the federal money. And even Ursula Hotchner of that nice Newman's Own (whose profits, she notes, go to Paul's favorite charities) refuses to discuss any specifics of the overseas advertising efforts her company undertakes with federal dollars. "They certainly don't cover cocktail parties or flights," she says helpfully.

The reluctance of company executives to talk about how they spend their federal subsidies, or even how much of their advertising budgets are composed of public dollars, might make you forget that you're paying for their ads. Some executives even make it sound as if they're performing a patriotic duty by marketing their wares overseas. "We're exporting something of our culture," effuses Nancy Light of the Wine Institute, an industry trade group that's divided some $10 million in federal money among California wine groups since the marketing program began.

Even USDA is reluctant to talk turkey about how all that money is spent, providing only general information. Still, one example of what our tax dollars are buying can be excavated from documents provided by the USDA. Blue Diamond, the California almond company, used some of its millions in subsidies to insert advertisements on wrestling videotapes shown in Kuwait. Not exactly top secret stuff, but you can see why company ad directors and government officials aren't bragging.

Since its creation in 1985 (under the name Targeted Export Assistance Program) the quiet Marketing Promotion Program has become the biggest federal export assistance program in the entire U.S. government. But amazingly, as it's grown, it's managed to sell out its original purpose—to rectify foreign wrongs—altogether. In the past Congress, while allocating $1 billion to the program over the next five years, legislators also made one minor change to the program's mandate. Participants no longer have to prove their products faced unfair trade practices to get government money.

As we've seen, and the GAO recently speculated, that law simply put into writing what had been fact since the program's inception. New York Rep. Charles Schumer, a longtime opponent of the subsidies, claims the original impetus came not from a congressional concern with countering unfair tariffs and restrictions but from a desire to appease powerful agricultural constituents who claimed that their products were left out of the nation's hefty farm subsidy programs, which give special subsidies to commodities like honey, sugar, wool, dairy products, and mohair.

While the USDA perpetually invokes small farmers in desperate need, the bulk of its subsidies often wind up in the pockets of the biggest producers; according to USDA data, the largest farm payments in 1988 went to people with average net incomes of $96,000. The Market Promotion Program is no different. In fact, by giving weight to a company's international sales history the program is structured to ensure that the biggest companies will get the most money. "The bottom line with the program is that it's a corporate welfare program," Schumer charges. And the bigger the corporation, the bigger the check.

In 1989 the Wine Institute received $7 million from the promotion program for "tasting shows" and store promotions in Japan and Europe. More than six dozen companies were granted subsidies by the institute, including tiny vintners like Stag's Leap, Valley of the Moon, and Hacienda, which got $5,000 each. That sounds equitable and democratic—until you look at all the numbers. The biggest award went to the biggest winery in the United States—Gallo—which received $2.2 million, or nearly one-third of all the money set aside for the industry. For what? Gallo refuses to answer any questions regarding its marketing.

Joe Rollo, director of the Wine Institute's international department, says the trade group parcels out the money based on such criteria as each winery's "history and experience in export," as well as previous sales and the size of the administrative staff (to ensure the ability to process orders). This means that



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the biggest wineries, many of which have been exporting for years and are the most capable of carrying out promotion campaigns without public assistance, garner most of the support.

Despite the USDA program's supposedly essential role in upping overseas sales, GAO notes that government program officials haven't demonstrated that, in the absence of public subsidies, overseas promotional activities could not have taken place (or, in fact, were not already taking place). But Ken Howland, USDA's deputy assistant administrator, is quick to defend the practice of giving the most to the biggest.

Let's say the USDA wants to boost sales of french fries in Hong Kong as a means of increasing the export of Idaho potatoes. Howland says the USDA or the trade association handling the federal allocations will look to the biggest seller in that market—say, McDonald's—and offer promotion subsidies. What if McDonald's doesn't need the money? Couldn't you spend it on a "Buy Idaho Spuds" campaign? "Consumers buy by brands of products," Howland explains, "not by generics."

While USDA's theory is that bigger companies can get more bang for their advertising buck, GAO claims that theory is remarkably untested. In its 1990 report, it charges that the USDA makes virtually no effort to evaluate whether the program works at all—whether U.S. money to corporate ad execs boosts foreign purchases of specific goods or not.

To rebut this charge, the USDA offers an impressive list of "success stories"—examples of rising foreign sales in conjunction with the advertising and promotion subsidies. More soybean margarine sold in Britain, more Italians eating California prunes, more Norwegians cracking Georgia peanuts. Of course, millions of dollars in targeted advertising *does* tend to increase sales. The question is, was U.S. money necessary to make Gallo, McDonald's, and Sunkist successful overseas?

## Buying the farm

Given the broad array of criticisms of the export subsidy program, the poor USDA oversight, and the massive federal deficit, why does Congress allow major corporations to continue dining at public expense? Part of the reason is that there's precious little debate over national farm policy. Forget labels like Democrat and Republican, liberal and conservative. When it comes to farm policy, Congress is generally one big team—perhaps because farm-belt legislators are so skilled at calling in favors when farm bills hit the floor.

At a budget committee task force hearing last year, Kansas Rep. Dan Glickman was one of several agriculture committee members to punctuate his defense of subsidies like the export program with a stark threat to his urban peers. "I have supported food stamps, urban programs," Glickman reminded them. "I would hate to see a lot of programs jeopardized because of an attempt to drive a train through agriculture programs."

While some congressmen inevitably prefer pork barrel politics to policy debates, there are some serious questions here. Let's assume that the export subsidy program aims to help U.S. agricultural businesses overcome unfair trade practices. Is funneling USDA money into the advertising budgets of our biggest corporations really the best way to achieve that?

Last year's $200 million Marketing Promotion Program budget was bigger than that of the Department of Commerce's entire International Trade Administration (ITA), which provides marketing assistance for all U.S. goods and services *except agricultural products*—that is, everything from software to underwear. But ITA doesn't line the pockets of Microsoft and Maidenform. "Our money never goes to private corporations," says an ITA spokesman. Rather, it goes for technical assistance to various industries attempting to develop their markets overseas. Instead of buying brand-name billboards, ITA runs programs that try to link U.S. companies to foreign distributors, prints a monthly promotional magazine, and sponsors pavilions at overseas trade shows.

And unlike USDA, ITA still devotes most of its energies to helping American industries blocked by foreign trade bans—telecommunications and computer companies in Korea and Japan; footwear manufacturers in Europe; and car makers in Indonesia, where the car tariff ranges from 100 to 200 percent.

ITA has the right idea. Where the playing field is truly tilted, industries—although not private companies—deserve special help. But building that level field involves taking a hard look at the home team, too. Instead of just arguing for relaxed trade barriers at GATT talks, the U.S. government might consider revising its own, more subtle industrial policy by eliminating U.S. import restrictions or price supports on commodities like wool and peanuts—instead of funneling even more money into international ad departments.

When the nation faces a $3 trillion deficit, the $68 million spent last year to subsidize the overseas advertising of U.S. agricultural firms may seem like small potatoes. But the bottom line is this: Do you really think Paul Newman and the Jolly Green Giant need your help? □



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# Airpork

## *The National Aero-Space Plane is too fast to live, too hyped to die*

by Peter Gray

A week after the *Challenger* exploded in 1986, Ronald Reagan introduced the country to the hydrogen-powered National Aero-Space Plane (NASP), "a new Orient Express that could, by the end of the next decade, take off from Dulles Airport and accelerate up to 25 times the speed of sound, attaining low Earth orbit or flying to Tokyo within two hours." The same plane, or a close relative, would deliver bombs from Montana to Moscow in one hour; it would make regular freight deliveries into space from the runways of America.

By November 1989, after the Bush administration managed to renew funding for the project, William Safire had caught the fever, waxing rhapsodic in *The New York Times* over the way "the Underestimated Man," Dan Quayle, chairman of the National Space Council, "got down there in that hydrogen slush and rescued the spaceplane from oblivion." This "4,000 mile-an-hour NASP," Safire explained, "will zip past the French-British Concorde the way a souped-up Corvette passes an antique tin lizzie." It will be "a made-in-America aircraft capable of taking off from any major airport, zooming out into space and reentering the atmosphere to land at any other airport in less than three hours."

Sounds pretty neat. But you don't have to be a rocket scientist to figure out that these claims don't add up. You just have to get down in that hydrogen slush, ignore Dan Quayle, and apply a little common sense.

Take the "any-major-airport" line. Among scores of articles in everything from *Aviation Week* to *The New York Times*, I have yet to find one that questions this crucial selling point. But a little curiosity would quickly lead you to two aviation rules of thumb: 1) fast airplanes aren't much good at flying slow; and 2) minimum runway length increases in proportion

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to the square of takeoff and landing speed—two times the speed, four times the runway. This should set off a mental alarm—after all, we're talking about flying up to 30 times faster than a normal airliner. In mid 1989, *Aviation Week & Space Technology* put NASP takeoff speed at 450 mph. Well, the Concorde supersonic transport lifts off at 220 mph, and the two-and-a-quarter mile Dulles airport runway is its minimum. The "spaceplane" would need at least *nine miles* of concrete. No airport on the planet could accommodate it. Maybe we could find enough cheap real estate to build nine-mile runways—but not near New York, San Francisco, Tokyo, or Hong Kong. And it's not likely that the neighbors, who have already demanded quieter aircraft, will put up with the infernal racket of the noisiest one ever built; the Concorde is more than loud enough.

Then there's the matter of heat: air friction would raise the surface temperature of this plane above that found inside a blast furnace; and the matter of cost: a little figuring shows that one flight on the Orient Express would wipe out most people's life savings. You get the idea.

## Orient excess

Problem is, Congress doesn't. We've already spent more than a billion dollars on the NASP, and the meter is starting to run faster: Congress plans to spend $305 million on this funding pipeline dream next year, up from this year's $258 million. Given enough time and money, engineers might eventually overcome the major obstacles and build some sort of spaceplane. But the briefest consideration reveals that the contractors' claims for how long that will take (four years), how much it will cost ($10 billion), and what the plane's spinoffs will do (everything) are absurd. And while we throw money at the spaceplane, more useful, if less sexy, projects—like slow, unmanned, super-high-altitude research planes that would track changes in the environment—go begging.

The spaceplane program is flourishing not on its merits but because of skillful contractor packaging—a slick sales job that combines geographic placement of plants for maximum pork-barrel effect with seeming openness toward journalists, who, like Safire, tend to rewrite press releases instead of rethinking premises when it comes to big science projects. This uncritical acceptance of the contractors' claims is a sin few congressmen or journalists would commit if the expensive new program were, say, a welfare initiative or a tax proposal. But our watchdogs in Congress and the press always slip up a bit when the hydrogen slush begins to flow.

By 1989, some members of the consortium of contractors working on the spaceplane had begun backing away from Reagan's hype of the commercial aviation spin-offs. In *Aviation Week*, James B. Fyfe, deputy NASP program manager for Pratt & Whitney, said, "The idea that it's an Orient Express—a rich man's toy—is very damaging to the program."

But Reagan got his ideas somewhere, and this one didn't come from a mystery movie. As the prominent contractor in the consortium during the late eighties, McDonnell Douglas Corporation (or MACDAC, in the biz) cranked out a series of full-page magazine ads, brochures, and official-looking reports about its proposed "X-30" experimental plane—"forerunner of the Orient Express."

Coincidentally, "Orient Express" is also the title of McDonnell Douglas's technical and economic report on high-speed commercial transports. Hypersonic transports, which would travel five times the speed of sound, have been crucial to selling the spaceplane program, since we might hope to cover the extremely high development costs and get into mass production if a profitable airliner were a relatively cheap spin-off.

And, boy, do we ever need a hypersonic transport! Or do we? According to the McDonnell Douglas analysis, the only trips that would benefit from a super-fast plane are the trans-Pacific routes of more than 5,000 miles. Between 1975 and 1984, the report points out, traffic over those routes increased at 11 percent per year, to 6.4 million passenger flights. McDonnell Douglas projects a 10 percent growth rate to the year 2020, for a traffic figure of 188 million. This projected traffic increase is the core of the contractors' case that we need a hypersonic transport—and if we need a hypersonic transport, they reason, we need the NASP, so we should hire MACDAC and friends to build the X-30. Unfortunately, McDonnell Douglas's methodology is akin to taking the rate of emigration of Kuwaitis last August and using it to predict an exodus over the next decade.

As any student of statistics and damned lies knows, projections based on a present trend are notoriously unreliable—and even worse when they assume exponential growth or extend beyond a year or two. The recent growth in travel came from a combination of airfare deregulation, fewer empty seats, and rapid economic growth in East Asia—trends that cannot continue for 40 years. And most of the new demand has been for the cheap seats. While conventional carriers worldwide dramatically increased their ticket sales, the extravagant Mach 1.8 Concorde has been unable to expand its operating fleet beyond a dozen 100-passenger planes—with an average of one out of three seats vacant. Indeed, the financial failure of the Concorde shot down the notion that many people will pay 10 times more to cross oceans a few



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hours faster. Now, it's possible that someone will build a cheaper supersonic plane—Boeing is spending its own money to develop one—but a hypersonic that would be remotely competitive with conventional airliners is a long, long way off.

Why is hypersonic so pricey? The first reason comes from the basic physics of flight. When speed goes up, fuel efficiency goes down. The sharp, pointy shape necessary for flying faster than a speeding bullet, along with losses in engine efficiency, will give the plane dismal gas mileage. That lowers payload and raises ticket prices. And remember, as McDonnell Douglas concedes, such an airliner could be plausible only for long-range flights. But since any aircraft has strict weight and volume limits, the extra fuel required for long trips will displace passengers—so there will be fewer of them to share the costs of crew, maintenance, and the plane itself. As spin-offs go, the new Orient Express promises to be about as big a commercial hit as "Joanie Loves Chachi."

In worrying whether there'd be a market for a hypersonic transport, of course, we're assuming that such a plane could spin off from the NASP program. McDonnell Douglas's own promotional literature shows why it can't. In the late eighties the company touted a Mach 5 (3,400 mph) transport, fueled with liquid natural gas and carrying 305 passengers from D.C. to Beijing in 2.5 hours. At the same time it bragged that the X-30 spaceplane would run on liquid hydrogen and fly into orbit at Mach 25. Sound like similar planes to you? Credible engineering estimates place the common technology in NASP and the hypersonic plane at a piddling *5 percent.*

## To boldly snow

And, of course, in worrying whether an Orient Express could help defray the price of a spaceplane, we're supposing that a spaceplane is worth building in the first place. Don't forget the hype: The goal "is a spaceplane that could take off and land from virtually any airport in the world, carry satellites and other space cargo into orbit cheaply, or carry a load of bombs deep into enemy territory as fast as an intercontinental missile," as Carl Lavin reported in *The New York Times* in 1989. We've already seen that the only thing conventional about a spaceplane runway is that it would be horizontal.

But let's say you could find a nine-mile runway or a nice dry lake bed to touch down on. Don't plan to lift off again anytime soon. The world's fastest aircraft, the Mach 3 SR-71 "Blackbird" spyplane, cruises with a 550-degree surface temperature. As it rolls to a halt, its skin can still fry eggs. A Mach 5 aircraft will run 470 degrees hotter. Mach 25? Up to 5,000 degrees at the leading edges. This is why we can see bits of gravel at night—50 miles away—when they enter the atmosphere at similar speeds. It's also why most meteors never reach the ground.

McDonnell Douglas claims its Mach 25 plane "will need only minimal maintenance and refueling—only hours or perhaps even minutes—before it is ready for another flight." Only minutes to tank up a red-hot plane with 250,000 pounds of -450 degree hydrogen? For perspective on the problem, imagine a whole airplane skin as hot as a toaster coil. Even a slower airliner would be too hot to handle. Ben Rich of Lockheed's secret Skunk Works, which built the Blackbird, said in *Interavia*, "I can turn around an SR-71, maybe, under a surge condition, in two hours if everyone wears gloves. But a Mach 5 airliner in two hours? Bullsauce!" That's the word from the Blackbird's main architect, who still works for a major government contractor. By the way, the Blackbird was so temperamental that, according to one pilot cited by *Air & Space*, it required 40 hours of maintenance for each hour in the air.

The reason turnaround time is so important is that the NASP will have to make an awful lot of flights in order to spread out the costs of building it. Reagan administration officials claimed that the price tag for putting a pound of freight into orbit via the spaceplane will run between $20 and $400. Scott Crossfield, former test pilot turned spaceplane advocate on the House Space and Technology Committee staff, suggests a range of $14 to $140. But let's take a quick cruise through the numbers. The optimists claim they can develop and build two X-30s for $10 billion. (The B-2 bomber, a far less ambitious venture, cost more than twice as much before the first prototype flew.) Assume, generously, that a fleet of five operational spaceplanes can be built for another $10 billion.

With an impossibly low $20 billion total cost and an officially estimated 30,000-pound payload, to reach $20 per pound those five spaceplanes would have to make 33,000 fully loaded flights—one every day for 90 years—and haul 500,000 tons of freight. (What on Earth would we do with all that space junk?) And I've made some hidden assumptions: free fuel, free airport, volunteer pilots, no failures of any kind, zero maintenance, and no-interest financing.

I've also assumed (as have the contractors and Congress) that we'll find a cheap, quick way to build the miracle engines this plane will need to fly. Aside from the any-major-airport line, the other big selling feature of the spaceplane is that it will be an "air-breather"—that is, capable of gathering oxygen from the air to feed the engines. Rockets, on the other hand, have to carry their oxygen with them, which NASP groupies claim is like a fish lugging a canteen.



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That's a real problem for rockets, but the spaceplane would solve it by acting like a freshwater trout dragging a desalination plant through the ocean. To get from a standing start to orbit, the NASP will need at least three different engine systems, including turbojets to allow the plane to fly at low speeds; an as-yet-theoretical ramjet/scramjet combination, which will take the plane from supersonic to hypersonic speeds; and rockets to accelerate the plane to and from orbital velocity. Each system must be capable of propelling the entire plane, so in order to carry the extra sets of engines each must be more powerful than otherwise. And heavier. So the engines need more fuel, which means more weight, which requires yet more thrust. . . . Before long, carrying your own canteen doesn't seem like such a bad idea.

Those are a few of the problems with the NASP that one can anticipate. But no matter how many supercomputers are put to the task, some glitches are sure to come as costly surprises. One small example: It cost $1 million in the sixties just to develop Air Force insignia that would not burn off the Blackbird's hot skin. The space shuttle already pushes the edge of the human capability envelope, and it has thin safety margins—sometimes too thin, as we all know. At best, NASP will trim those margins further. For one thing, its behavior above Mach 8 is open to speculation—no wind tunnel can sustain higher speeds. Kelly Johnson, legendary chief engineer of the Blackbird program, recently said: "It was proven, once again, that it is absolutely impossible to foresee all the problems in advance when making large steps forward in speed and altitude." The "large step" he made was from Mach 2 to Mach 3.

## Tools on the Hill

The real blame for the survival of this turkey rests not with the villains you might suspect—the Pentagon or NASA—but with Congress. For its part, the Pentagon has had a love-hate-love relationship with the NASP. Two-thirds of the program's billion-dollar public tab has been picked up by the Defense Department. General Lawrence A. Skantze, head of the Air Force Systems Command, epitomized the order-every-toy-and-to-hell-with-the-cost attitude of the eighties in comments he made to *Air Force* magazine in June 1986: "[NASP] responds to a wide range of Strategic Air Command, Tactical Air Command, Military Airlift, and unified Space Command needs. We're talking about the speed of response of an ICBM and the flexibility and reliability of a bomber packaged together. . . . "

But by 1989, the spending orgy was winding down, and the military's tune changed accordingly. Secretary of Defense Richard Cheney testified that "there is no immediate military application for the program," and tried to cut Pentagon spending on the spaceplane to zero. Secretary of the Air Force Donald Rice recommended a 70 percent cut, and said that NASP "needs a cold bath of reality."

Few warnings could be stronger than an Air Force disavowal of a new wonderplane. But the message was lost on the House of Representatives. Rep. Dave McCurdy talked 18 other House members into signing a letter to Quayle asking that NASP be shoved down Cheney's throat. Which it was.

Some of McCurdy's co-signers mounted their own efforts to save the plane. In a March 1990 *Space News* op-ed, Rep. Robert Walker blasted "latter-day Luddites" who would relegate NASP "to the black hole that policymakers reserve for unnecessary projects, pipe dreams, and toys for the wealthy." After all, "the businessman who can travel anywhere in the world in two hours reflects the economic and social realities of tomorrow."

In the same trade journal two weeks later, Rep. Dana Rohrabacher, whose district is the home of Rockwell International, now the lead NASP contractor, ran his piece, "Get John Q. Public to Demand NASP," goading the contractors to divert more profits from other government projects into tax-deductible efforts to lean on Congress even harder to fund the spaceplane: "The NASP contractors must all start now to work diligently to lock in a positive decision for construction of the prototypes. . . . The aerospace companies, whose very existence as competitive [*sic*] enterprises hangs in the balance, have a duty . . . to master the political and budget processes which drive Washington decision-making. . . . "

How did NASP glide through Congress, and get the entire House to lean on the Air Force, with the strong support of only 4 percent of the members? McCurdy's answer is "quality over quantity"—the other members of Congress, he says, look to members of the Science Committee for "good information on science and technology." How good is that information? When I asked him how much it might cost to buy a working fleet of spaceplanes, McCurdy said he had "No idea. Depends on when the commercial applications drop off—Mach 8 or Mach whatever." As for NASP using normal airports, "I don't know if it would need a special runway length or anything—I expect it would be adaptable to just about any airport."

It didn't hurt the spaceplane's prospects that, under congressional pressure, the administration reversed course on it again. Partly thanks to the PR success of Operation Desert Storm, the administration sniffed a change in the funding breeze, and the program once again became crucial to national sur-



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vival. In March 1991 John J. Welch Jr., assistant secretary of the Air Force for acquisition, testified before the House that "Air Force interest in hypersonics is higher than ever. The NASP program is our flagship science and technology program."

A full-page NASP ad in a September 1990 *Roll Call*—the weekly paper circulated on Capitol Hill—illustrates how congressmen developed their addiction to the spaceplane. The ad has a handy map of the U.S. with scores of little circles scattered across it and a caption pointing out that NASP contracts are spread over 44 states.

## Shooting it down

With the White House and Congress conspiring, only the press was left to blow the whistle on the NASP. Until now, it hasn't. This isn't to say that news accounts of NASP have ignored all the "challenges" to be overcome. They often acknowledge, for example, that no one knows whether we can make lightweight materials that will keep their strength at several thousand degrees on the outside and -450 degrees on the inside while being exposed to the corrosive effects of both hydrogen and oxygen. And a jet engine that can run at more than Mach 8 has yet to be built. These are obstacles, however, that might be overcome with enough sweat, ingenuity, time, and money.

By being "open" about problems that aren't clearly insoluble, NASP promoters have decoyed reporters into missing the real show stoppers—the ones that reveal how far short of its promised mission the spaceplane would fall. To find out how phony the "any-airport-in-the-world" line really is, for instance, a reporter would have to go beyond brochures and briefings and into the realm of investigation, deduction, and independent thought. Scary stuff. When dealing with experts who know much more about the topic than you do and with readers who know even less, it's simple to pass information from one side to the other without thinking in between. But journalists—and voters and lawmakers—can go a long way on a little common sense and the willingness to ask the right people the right questions. The spaceplane points up a few of the red flags journalists should watch for when dealing with big science:

➤Beware the vaguely stated purpose. Flexibility is a virtue, but when a project changes its mission every time the opinion polls flutter, or if, like the spaceplane, it promises to perform every mission at once, chances are it should be put out of its misery.

➤Don't trust that the sun'll come out tomorrow. Contractors generally boast—sometimes truthfully—that though their projects may have huge costs up front, the benefits will be even bigger down the road. Don't take this for granted, especially if it means closing down alternative projects. The backers of the space shuttle justified its huge subsidy and launch monopoly on the grounds that the orbiter would be dirt cheap after a few years, a promise based on outlandish predictions about per-pound launch cost (20 times lower than reality), turnaround time (8 times shorter), and trip frequency (15 times higher)—even before *Challenger* raised all those numbers. As they are beginning to do with the spaceplane, once contractors get their feet in the funding door, they start modifying their claims, trying to lower expectations while keeping the money flowing.

➤Watch for claims that a project will preserve American "competitiveness." The NASP coalition rides this latest wave of worry by pointing out in its ads that aerospace is "one of the few industries in which America still has a positive trade balance." Sure it is—for now—thanks to massive federal subsidies. But the special protections given the American shuttle program may be starting to hurt, not help, our space industry: American companies have started paying the French, Soviets, and Chinese to carry their satellites into space. And one reason other industries aren't doing so well is that they're helping to pay for the weapons and aerospace business.

➤An emphasis on "spin-offs" is a tip-off that legitimate rationales have been exhausted. The argument gets thinner, along with the air, as we climb into the stratosphere. In many cases the spin-offs go in the other direction. The space shuttle main engines use computer equipment so primitive it wouldn't be allowed on any self-respecting teenager's desk. In our homes and businesses, we can risk using cheap, high-powered, but slightly unreliable new computers. NASA can't. And the spin-offs that do occur are often of little value. When the GM-Hughes conglomerate put jet-fighter-derived, heads-up displays on Pontiacs and Oldsmobiles, only 1 percent of its customers bought the option. We didn't need to spend billions on aircraft to learn how to project a few gauge readings onto windshields. The device, after all, is no more high-tech than a supermarket laser checkout machine hooked up to a simplified Nintendo game.

➤Check out the track records of similar programs. For the NASP, the Blackbird and the space shuttle are our best reality checks. Another boondoggle, the B-2 bomber, has an even more obvious predecessor. Last October this magazine asked, in a cover story about the heavily promoted "stealth" F-117: "Will they lie about this plane in the Middle East?" Now we know—from the trade press—that British, French, and Saudi naval radar picked up the F-117 at ranges of 40 miles. This has powerful implications for the much bigger and heavier B-2, which will supposedly



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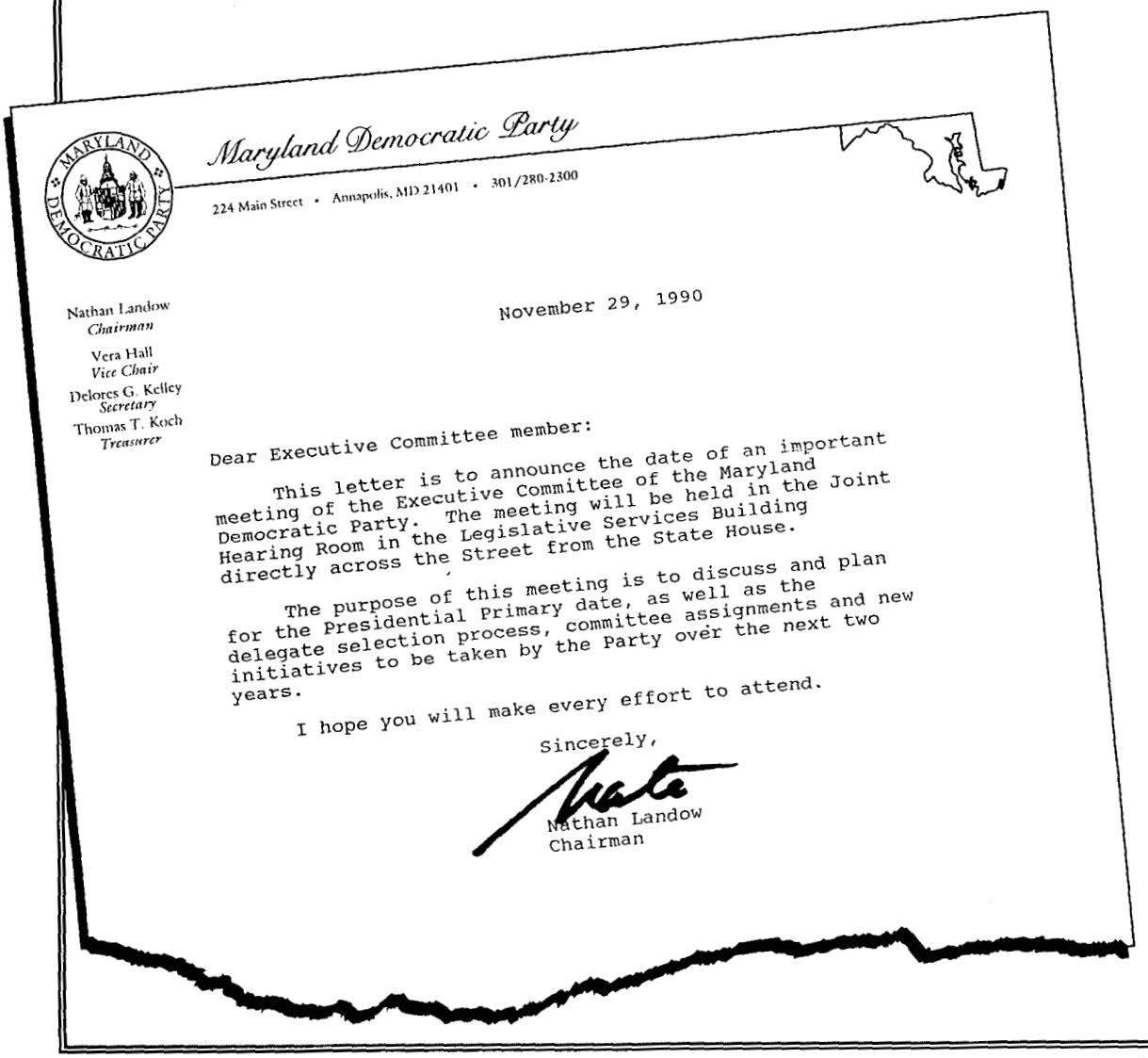
penetrate Soviet land-based radar 10 or 20 years from now. But did this news make the cover of *Newsweek*? I have yet to see the story treated as significant outside *Inside the Air Force*.

As money for bold initiatives grows scarce, contractors are getting more sophisticated at manipulating the executive and legislative branches to keep the government checks flowing into their accounts. The White House loves sexy high-tech projects (they supply fabulous metaphors for speechwriters), which is why it plans to make NASP a high-priority project and push for an accelerated commitment to build the X-30. Congressmen love anything that employs constituents. Neither, as contractors understand, has much incentive to put a high priority on results down the road. Aggressive, common-sense reporting on big science projects—the kind of analysis that journalists have learned to apply to social programs—is the only way to inject realism about long-term costs and results into politicians' calculations. Without that kind of reporting, all the billions poured into spaceplanes—and nuclear weapons plants, and supercolliders, and space-based missile defense systems—will wind up producing only so much hydrogen slush. □

## MEMO OF THE MONTH



Maryland Democratic Party

224 Main Street • Annapolis, MD 21401 • 301/280-2300

Nathan Landow, *Chairman*
Vera Hall, *Vice Chair*
Delores G. Kelley, *Secretary*
Thomas T. Koch, *Treasurer*

November 29, 1990

Dear Executive Committee member:

This letter is to announce the date of an important meeting of the Executive Committee of the Maryland Democratic Party. The meeting will be held in the Joint Hearing Room in the Legislative Services Building directly across the Street from the State House.

The purpose of this meeting is to discuss and plan for the Presidential Primary date, as well as the delegate selection process, committee assignments and new initiatives to be taken by the Party over the next two years.

I hope you will make every effort to attend.

Sincerely,

Nate

Nathan Landow
Chairman



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# America: A Repair Guide

*Sixteen steps to national sanity that won't cost a cent*

by Charles Peters and James Bennet

"As I read the *Monthly* month after month," writes B. J. Luberoff of Summit, New Jersey, "I'm beginning to get the same reaction I have to '60 Minutes': All I hear is 'Ain't it awful that. . . . ' I admire your investigative reporting, which calls my attention to all sorts of terrible things happening inside my government and other big organizations. But the more I read, the more powerless I feel. How about giving some recommendations on what we can do? Otherwise, you just end up with a lot of people with ulcers and possibly canceled subscriptions."

Well, Mr. Luberoff, upon reading your words, longtime subscribers are probably already diving for cover. Since our second issue in 1969, which featured an article on "How the Pentagon Can Save $9 Billion," the *Monthly* has tried to break the journalistic mold by not just carping but coming up with solutions to the problems plaguing society's most important institutions—indeed, even reformulating and repeating those solutions when they go ignored. These solutions were summarized first in "A Platform for the Seventies," then in "A Platform for the Eighties," again in "A Neoliberal's Manifesto," and most recently in our Twentieth Anniversary Issue. In fact, we've always assumed this barrage of solutions was the real source of our readers' ulcers.

It has been a couple of years since we cobbled together one of these lists, less out of deference to our readers' innards than out of a sense of government's financial limits. But, Mr. Luberoff, you got us thinking: Many of the *Monthly* solutions wouldn't cost a dime—in fact, many of them would *make* money. So here we go again, because while we share your sense of frustration about these terrible times, we're alarmed by your sense of powerlessness. As Franklin Roosevelt declared, in times of crisis, "Above all, do *something*." This is a time of crisis. Here are some things we can do—at absolutely no cost to Uncle Sam.

*Charles Peters is editor-in-chief and James Bennet is an editor of* The Washington Monthly.

## How to save politics

Barely one in three eligible Americans voted in the last round of national elections. It's hard to know which is more alarming: the fact in itself, or how bored we feel on hearing it. There's nothing surprising in the litany of pollsters' reasons for the low turnout—frustration with shallow, negative campaigns; a feeling that big money controls all the outcomes; a Luberoffian sense of powerlessness, that there's no way to make those bureaucrats give a damn. What is astonishing is that we're not doing anything about it. We all know that Americans, like Czechs, Poles, and Lithuanians, can be excited about democracy; we all know that dynamic young people can be drawn to government work. We at the *Monthly* think we know how to get from here to there.

### 1. Make politicians accountable to the voters.

These days, on average, 60 percent of a Senate candidate's campaign budget goes for broadcast advertising; overall, the cost of TV advertising in congressional



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campaigns climbed 169 percent between 1976 and 1990. It's become a cliché to point out that those ads are doing precious little to meaningfully differentiate candidates or to draw more Americans into the political process. This isn't just the product of a few unscrupulous political consultants; it's the inevitable result of a system that combines high ambition with high technology and low accountability. So let's change the system. Mandate that, in exchange for free air time before an election, all political ads feature the candidate—and only the candidate—addressing the viewers at home. Sure, these ads might be dull: no uplifting music or girls in Laura Ashley dresses, no wind-blown flags or glowering rapists. But just imagine George Bush trying to woo voters by declaring, "Mike Dukakis let a scruffy black guy out of prison so he could rape a nice white lady . . . ," and you get some idea of how much good this change would promote.

Cutting down the costs of advertising will help wean politicians from the influence of the PACs and their other big funders. A further reform—forbidding politicians running for state office to raise money out of state—would force them to quit cold turkey. During the last round of congressional campaigns, more than half the senators running for reelection received most of their funds from outside their states. Can Al Gore really be considered the representative of the average Tennessean when a whopping 96.5 percent of his ticket to Washington was covered by New Yorkers, Californians, and other nonresidents? [See "The Keating 535," Andrew Bates, April 1991.]

## 2. Open up government.

The reformers who broke the political machines had legitimate points: When patronage drove politics, government workers were often lazy and corrupt. Today, they tend to be lazy and unhelpful. Now that we've discovered that civil service rules can be as deadly to good government as smoke-filled rooms, it's time to put our lessons together. Turn 50 percent of civil servants into political appointees—not hacks, but talented people who can pass civil service merit tests. Of course, in getting rid of half the bureaucrats, we should be careful to hold on to the good ones—which means we must eliminate "bumping," the reduction-in-force practice by which a tenured employee, when his slot is cut, can simply shove out a younger, even though better, worker and swipe his job. Once these cuts are made, we'd still have enough career, nonpolitical workers to carry the institutional memory from one administration to the next. We'd also have public servants who are not merely competent but also committed to the ideas of each new administration and directly accountable to the voters for their performance. Other important benefits of this reform are less immediately apparent. Ambitious, capable young Americans, instead of rolling their eyes at the notion of serving in the bureaucracy, would see a future in signing up with an exciting candidate and sweeping into office with him. Furthermore, cycling more citizens through government jobs would boost public understanding of what makes government work and what makes it break down: Journalists would return to their newspapers knowing where bodies are buried in the bureaucracy; businessmen who had performed a public stint would stop whining vaguely about "big government" and start targeting their criticisms at specific programs that waste taxpayer dollars. And all that patronage would cut the high cost of running for office: Because candidates would be able to reward loyal volunteers with jobs, they would rely less on paid professionals to staff their campaigns—which would further drive down the cost of running for office. [See "Patron Saints," Lois Forer, p. 28.]

## 3. Encourage good civil servants to stick around longer.

The so-called "unfunded pension liability"—the amount by which planned pension benefits exceed workers' contributions—in the federal civil service alone stands at $508.3 billion. Add in pensions owed to servicemen and women, and the total goes to over *one trillion dollars*. Mind you, that's just at the federal level. States, cities, and towns are grappling with an aggregate unfunded liability of between $160 billion and $450 billion. A major cause of this massive liability is that, in the federal system, a civil servant can retire with full benefits at age 55, after 30 years of service. That's why some 362,892 of federal civil service pensioners—nearly 25 percent—are still in their fifties. Servicemen can retire after 20 years, while they are still in their early forties. Likewise, in Washington, D.C. (as in many other cities), firefighters and policemen can retire after 20 years, which is why most of the city's almost $5 billion unfunded pension liability is earmarked for those two groups. The best solution is to extend the length of service. Hold on to those veteran servicemen, firemen, and policemen for at least 25 or 30 years—until they are no longer physically able to do the job. And keep those veteran civil servants, the ones who can show the appointees the ropes, until they are 65. Pension liability, it should be remembered, will also be radically reduced if our Step 2 is adopted. The patronage employees would serve short periods, rarely more than eight years, and would then not be eligible for government pensions. [See "A Pension for Trouble," Matthew Cooper, July/August 1989.]



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## Getting people to do work that counts

Aside from "Gimme your wallet and your watch," the scariest line one hears from a young person these days is, "I don't know what I want to do, so I'm going to law school." Probably the most dramatic waste of bright graduates in the eighties took place on Wall Street, but overall since World War II, the most enduring and damaging trap has been the law school bait-and-switch: Students go in with a vague hope of finding challenging, exciting, useful careers and come out settling for lucrative ones. The United States now has 3.7 times more lawyers per capita than England and 20 times more than Japan; Washington, D.C. boasts 1 lawyer for every 10 residents. The best way to shrink the supply of lawyers is to start drying up the demand. Diverting these able young people from the law would free them to use their talents in work they believe in and enjoy—from teaching ghetto children to working for the Environmental Protection Agency to starting a business that makes high-quality products that will enable us to compete with Japan and Germany.

### 4. Pay off student loans over 30-40 years.

The freedom to pick a college and a career shouldn't be a luxury for the rich. But exorbitant tuition can force bright young people to give up on college and graduates burdened with debt to forgo VISTA for Wall Street. Instead of the current guaranteed student loan program, under which a student can get a maximum of $2,625 for the first two years and $4,000 for the last two, how about letting students borrow the full cost of their tuition, with a federal guarantee? You could cut down the default rate by stretching repayments over 30 or 40 years, starting them out low and slowly increasing them as the graduates' earnings rise. If graduates do default, the federal government could repay the bank and then recoup its own loss by tacking a premium onto the debtors' income taxes.

Not only would students have greater freedom to make choices about their lives, but since they would be entering into a decades-long financial commitment, they would make damn sure to get their money's worth out of college. And society wouldn't benefit only from an influx of new graduates free to do productive work: This reform would also cut off the most common legitimate excuse used by people who abandon useful jobs for lucrative ones: "I'd like to stay, but Sam and Sally are headed for college in few years. . . . " With college payments no longer a worry, these people would keep on doing good—or else admit that the real reason they're selling out is that they've always wanted a BMW. [See "Highbrow Robbery," Timothy Noah, July/August 1983.]

### 5. In all civil suits, make the loser pay.

A major factor in the overlawyering of America is the frivolous lawsuit, filed in the hope of extorting a payoff—referred to as a settlement in the law's genteel parlance—from a defendant worried about the legal costs of lengthy proceedings, even though he knows he is in the right and would ultimately win. Conversely, rich defendants often use the threat of protracted proceedings to discourage legitimate claims. If the loser had to pay the legal fees of the winning party, both just claimants and just defendants would be represented, but unjust claims and unjust defenses would be discouraged. There would be a lot less work for lawyers, meaning we'd have many fewer lawyers. Certainly, that has proven to be the case in England, which has "loser pays" as the rule—and only one-third the number of lawyers per capita that we do. [See "The Screwing of the Average Man: How Your Lawyer Does It," Charles Peters, February 1974.]

### 6. Switch to no-fault in malpractice cases and auto wrecks.

Provided that the medical review boards grow teeth so that patients can feel confident that drunks and incompetents won't be slicing them open [see "The Case for Smart Regulation," below], a no-fault system would help ease a legitimate pressure on doctors to jack up their fees: ever-rising malpractice insurance premiums. The trade-off for consumers would be that they would no longer be compensated for "pain and suffering"; on the other hand, they would be compensated for the costs of their care immediately, rather than after a long and ugly legal battle, and, in general, they would pay less for medical services. Similarly, no-fault auto insurance would eliminate not just pain and suffering compensation but also the fraud that accompanies many of these suits, and it would reduce the cost of auto insurance for everyone. If we instituted no-fault, who would be the biggest losers? The lawyers—which is yet another reason the rest of us would gain. [On medical malpractice, see "Tilting at Windmills," May 1991. On auto insurance, see "Whose No-Fault Is It, Anyway?" Peter Spiro and Daniel Mirvish, October 1989.]

## How to save democracy

Four out of five young adults can't write a letter asking for a job in a supermarket; on the other hand, if your father or mother went to Harvard, you are three times more likely to get in. One in four Americans goes without basic medical care; on the other hand, if you can afford it, you can get everything from fresh kidneys to a new face. The poorer three out of five American families pay more in taxes than



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they did in 1980; on the other hand, the richer two pay less. Add it all up, and what have you got? A two-tier education system, a two-tier health care system, a two-tier tax code. Inequality in America isn't solely the result of these three things. But why use all three of them to make the problem worse, not better?

## 7. Evaluate performance, not credentials.

"Value of Money is Questioned in National Debate Over Improving Schools," ran the headline of a recent *New York Times* story. For years, along with the correct assumption that to keep the United States economically strong and socially just we have to save its public schools, reformers have held the incorrect assumption that more money is the only answer. That second assumption is starting to crumble as people realize that money meant to educate kids is being wasted on salary increases for teachers who can't teach and for administrators who are either unnecessary or incompetent or both. One way to deal with this problem is to get rid of the inept and give raises solely on the basis of merit. Another is to change the way teachers are certified.

Suppose you earn a master's degree in English from Emory University and, having tutored and served as a graduate teaching assistant, decide you want to start teaching in Georgia's public schools. Not so fast. So you know *The Great Gatsby* inside and out. So you can hold a class rapt for hours at a time. So what? Before you can even be considered for a teaching job, Georgia insists you take courses like "Behavior Modification" and "Reading Techniques." Given the parlous state of public education, it's criminal to erect obstacles to new teachers that at worst turn away the talented and ambitious and at best work to smother their creativity. A smarter system would certify teachers based on their knowledge of their subject and their ability to get up before a class of kids and *teach*. [See "Yes, But Where Are Your Credits in Recess Management 101?" Susan Ohanian, April 1984.]

## 8. Control the doctors.

Let's say your house is on fire. You call the fire department. Imagine a conversation that goes something like this:

You: Help! My house is on fire!

Receptionist: Hold, please.

[Muzak]

Receptionist: Can I help you?

You: Yes, dammit, my house is on fire! Send help!

Receptionist: Fine. Would Tuesday at 3 o'clock fit your schedule? The charge will be approximately $10,000 per room, depending on how many are inflamed.

Never happen, right? Of course not—we wouldn't let it. But ask yourself: Why is it that the market for health care has produced such terrible distortions—that the growing number of doctors leads to fees that, year after year, outstrip inflation? That where there is the greatest need for good health care—in Appalachia, for example—there is so little supply? Because, out of all the life-protecting professionals, only doctors are permitted to hold their power over consumers' heads. It's time to switch that relationship around. After all, we don't let all soldiers and sailors serve in San Francisco—or all policemen patrol just Park Avenue. And when a cop spots burglars about to break into your home, he doesn't radio Allstate to be sure you can afford his services before jumping out of his car and chasing the bad guys down.

Another approach to controlling medical costs would be to take away what we suspect is the main motivating force behind physicians' greed—the unnecessary ordeals that accompany their training. "You know, I didn't get into this for the money," says one exhausted intern after 36 hours spent at a D.C. hospital. "But after the shit they put me through, I feel like I deserve it." Making all experienced doctors work at hospitals a few nights each year would put an end to the brutalizing ritual that's required when only interns and residents carry the whole nighttime load. It's simply insane for our medical schools to take idealistic young people—you know them, the ones who play with colorful plastic stethoscopes when they're six—and fill them with self-pity by grinding them down with unnecessary labor, which is then paid for by their patients for the rest of those doctors' lives. [See "A Platform for the Eighties," Charles Peters, February 1979.]

## 9. Switch to a sane Social Security system.

Because of increases in the Social Security tax, poor workers saw their tax burdens rise by as much as 28 percent over the course of the eighties. Meanwhile, at the other end of the system, we continue to fund the retirements of Rockefellers well in excess of the amounts they contributed while they were working. But the unfairness of this system isn't a function of benefits just for the rich. Because Social Security benefits are largely insulated from taxation, income taxes paid by a middle-class elderly family amount to *less than half* those paid by a working family with the same income. To make this system fairer, we should provide generous tax breaks to lower- and middle-income families and offset the loss to the treasury by treating Social Security benefits as ordinary income and taxing them accordingly (with a



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# IF YOU'RE NOT AFRAID TO BE RIGHT TOO SOON

Throughout the Gulf crisis, while the rest of the media acted as cheerleaders for war, we were almost alone in saying it didn't make sense to use our military might to devastate a small country when all we wanted to do was to punish one man. Does that sound odd, even crazy? That's what people said when:

➡ Well ahead of the others, we cracked the case of Washington, D.C.'s former mayor, Marion Barry, uncovering his administration's incompetence and corruption.

➡ Months *before* the stock market crash in 1987, we warned that program trading and low-margin stock options could turn a bad day into Black Monday.

➡ Years *before* the *Challenger* disaster, we warned that the space shuttle was unsafe, saying, "Here's the plan. Suppose one of the solid-fueled boosters fails. The plan is, you die."

➡ Months *before* the Iran-contra scandal broke in the newspapers, we warned readers, "This National Security Council staff is the worst in history."

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Mary McGrory,
*The Washington Post*

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provision to avoid double-taxing workers' original contributions). Remember, elderly families would also benefit from the breaks, so the elderly poor would have some protection from the new taxes. [See "The W-2 Step," James Bennet, June 1991.]

### 10. Tax the churches.

No one knows how much wealth our churches have accumulated, though conservative estimates place it at $700 billion. As of 1987, for example, the Catholic Church was New York City's largest landowner. Numbers on church wealth are elusive because religious organizations are the only nonprofits in the country that do not have to report financial information to the Internal Revenue Service. Considering the earthly indulgences the religious tax exemption has supported in the past few years—everything from payoffs for prostitutes to air-conditioned doghouses—closing that loophole would be a good first step. Churches should then have to pay taxes on all property used primarily for religious, as opposed to charitable, purposes. Sound crazy? Think about it: The Constitution's establishment clause forbids government to single out one religion (or religion generally) for help or harm. Singling churches out for an exemption violates that rule; taxing them just like other property does not. [See "Pennies from Heaven," Elizabeth Lesly, April 1991.]

### 11. Raise the estate tax.

Right now, the federal government collects only about 5 percent of the $200 billion Americans bequeath each year. It does not make much sense to tax someone far less on what he has been given than on what he earns by the sweat of his brow. The reason the tax is so small is that the exemption on inheritance is so large: Today, individuals can bequeath $600,000 tax-free, and couples $1.2 million. That's why only 3 percent of estates are now subject to taxation. Cutting the exemption in half, to $300,000, would extend that tax to the wealthiest 10 percent.

We don't just allow enormous estates to go untaxed, however. The way the entitlements system works, the average receptionist can wind up *subsidizing* the estate of a wealthy retired lawyer. Rather than spend his family wealth to pay for his health care, that elderly lawyer can rely on Medicare, funded by the receptionist's taxes, to foot his bills. It is simply grotesque for the state to provide an incentive for families *not* to take care of their own. Here's how to put an end to this anti-family con: When the lawyer dies, in addition to other taxes due, the government should take from his estate the amount of the benefits he received in excess of what he contributed, plus interest.

### 12. Close the angel-of-death loophole.

This loophole protects inherited capital gains from taxation. When Muffy Chastleton Wentworth inherits stock in Company X that her father Tripp has held for 30 years and then turns around and sells it, she pays taxes on the capital gain only since the day she inherited. These two steps—eliminating the loophole and lowering the estate tax exemption—would raise $80 billion by the year 2000 and make the economy more efficient to boot. [On both the estate tax and the angel-of-death loophole, see "The Secret Solution to the Deficit," Paul Glastris, January/February 1991.]

## The case for smart regulation

Conservatives are afraid that regulation will cripple legitimate business. Liberals should share that fear instead of automatically advocating more government rules as the answer to every problem. But conservatives do need reminding that we all want clean air and water, safe cars and planes, prices that are determined by fair competition instead of monopoly power, and food and drugs that do not endanger our health. All that means that we must have government regulation and that, to protect us, it will have to be tough and incorruptible—and to protect the legitimate interests of business, it will have to be smart as well. Here are some regulatory proposals that we do not feel have received enough attention and that meet our no-cost test.

### 13. Mandate that in five years all fleet vehicles run on natural gas or electricity.

"We are doing everything we can to guarantee . . . that there will be an adequate supply of hydrocarbons," announced George Bush in the early days of preparations for the Gulf war. His guarantee, it turned out, carried a pretty high premium. And despite the war, Americans simply stayed in the same rut, swallowing 18 million barrels of oil each day, burning some 12 million of those in vehicles. You might not hear about alternative fuels from this administration, but they do exist. Electricity, for example, costs about half as much as gasoline and contributes less to smog. Likewise, natural gas, which is in plentiful supply in the U.S., is cheaper and contributes 80 percent less than oil to smog.

The most efficient way to switch to alternative fuels is to begin with vehicles that travel local routes and are refueled at a central location—fleet vehicles like dump trucks, delivery vans, taxicabs, rental cars, and city and school buses. The deadline for conversion should be flexible, giving more time to those


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fleets that take more than five years to turn over (in D.C., for example, the buses take 10). Switching these vehicles to natural gas or electricity would not only drastically reduce smog in our big cities (the reason Los Angeles has already started converting its municipal fleets); it would cut American oil consumption by *10 percent*—about as much as we import from the Persian Gulf. [See "Kicking the Oil Habit," Peter Gray, March 1991.]

### 14. Put an end to the self-regulation of professions.

Talk about contradictions in terms. Too often, professions wind up being regulated in their own interest, rather than in the consumers'. In Virginia, an alcoholic surgeon operated drunk for years, even though his peers and a representative of the local medical board knew about his problem. Perhaps the scariest part is that the behavior of his colleagues, and even of the review board representative, was perfectly understandable. It was the natural result of a regulatory system in which judges have more incentive to be sympathetic to the accused than to the victim—incentives like friendship and shared self-interest. This is a problem seen over and over again with police review boards, a problem that could be eliminated by replacing those police judges and investigators with civilians. Besides medicine, another profession in which self-regulation has become a painful joke is the law. For these two fields, there is a nicely symmetrical solution: Put lawyers on doctors' boards and doctors on lawyers'. [See "Tilting at Windmills," May 1991.]

### 15. Create an independent accounting system.

Letting a company pick its own auditor is like letting an author pick his own reviewer—but that's how the American auditing system works. No stronger evidence for the need to reform this incestuous system could exist than the collapse of the S&Ls. To take one celebrated instance: The Big Eight accounting firm of Arthur Young gave Charles Keating's Lincoln Savings & Loan an "unqualified" audit—the accounting industry's big thumbs-up—at the same time federal regulators, a group not known for delivering early or strong warnings, concluded that Lincoln was a "ticking time bomb."

Auditors have an awfully big incentive to play nice with the auditees: The corporations are their bosses, and if they deliver a skeptical report about, say, an exaggerated earnings statement, they might lose the account. On the other hand, the Arthur Young executive who oversaw the Lincoln account got hired away by Lincoln's parent company for just under $1 million per year.

Here's a cheap way to split up this cozy relationship: Rather than let corporations pick their own auditors, have an independent authority like the Securities and Exchange Commission do it. In addition, auditing firms should be permitted to stay with their corporations for no more than three years, so that they don't get too comfortable with each other and so the auditors know that someone else will be coming along to check their work. [See "Accountants: Those Wonderful People Who Brought You Maurice Stans," Thomas Redburn, February 1975.]

## Encourage economic growth

Paul Tsongas is right when he says Democrats have not cared enough about how to promote economic growth.

### 16. Give capital-gains breaks to long-term investment.

It isn't easy for liberals to admit, but those who favor a capital gains tax cut do have a legitimate concern: Productive long-term investment in capital stock has been shrinking since the sixties. What conservatives downplay, however, is that during the same period Americans have been pumping more money than ever into the stock market. In other words, capital is available, but for some reason not enough of it is being turned into better products. The capital gains enthusiasts' usual proposals would only exacerbate this problem, since they would give the same break to everyone who invests in the market. But if a trader churns stocks just to make his income, without regard for the long-term prospects of the companies he's investing in, shouldn't he pay full tax on that income, just like the rest of us pay income tax? The people who deserve encouragement are those who are making the economy grow. The way to give it to them is to institute a tax that's tough on short-term trading but benign to long-term investment, starting at 100 percent of the capital gain for stock held less than one year, say, and then dropping 1 percent a month until it reaches zero. The focus on short-term investment has been the bane of American capitalism. As long as the stock market analysts are emphasizing quarterly results, few CEOs will have the courage to look up from next quarter's statement to sink $100 million into the revolutionary new gizmo that won't come off the line for 10 years but will then dominate the world market. [See "Tilting at Windmills," July/August 1989.]

These are a few of the reforms the *Monthly* advocates. Got a better idea? Don't just nurse your ulcer—let us know. □



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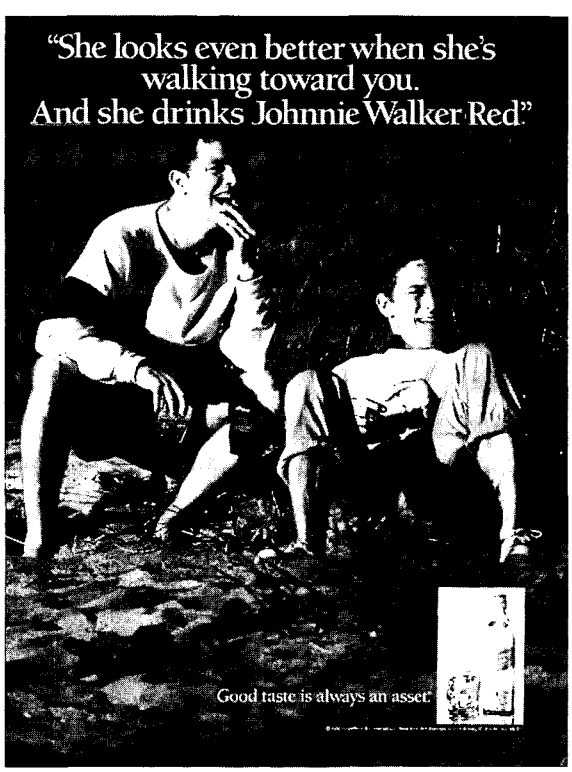
# TIDBITS & OUTRAGES

**AT LAST: A DEMOCRATIC STRATEGY FOR THE NINETIES**
When asked if she had sought election as a delegate for Jesse Jackson at the 1984 Democratic convention, a candidate for the Los Angeles City Council, Julie Korenstein—who in fact had run and had received more than 2,000 votes—replied, "I don't believe so. I can't even remember. It must be eight or nine years ago. . . . I may have run. I don't remember anymore."

**"I DEFINITELY REMEMBER NOT WATCHING HIS SHOW," SAID KORENSTEIN**
Jesse Jackson's syndicated television show was canceled after finishing in a three-way tie for 115th place in the Nielsen ratings.

**EXCEPT WHEN SHE'S STAGGERING AND PUKING**




**"RAIN IS AT HAND"**
Henry Kissinger recently appeared on "CBS This Morning" as a guest weatherman. In referring to the forecast map, the former secretary of state repeatedly pointed in the wrong direction.

**"AND I'D LIKE TO INTRODUCE MY NEW CHIEF OF STAFF, MADGE"**
To find out what its citizens think of local government, the city of Santa Clarita, California, recently spent public funds to invite 50 local hairdressers, manicurists, and makeup artists to a city hall conference. "Everyone talks to their beauty professionals," Mayor Carl Byer III told the *Los Angeles Times*. "We'd just like to know the kinds of things people are saying."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# Homeless in Hot Tubs

*Want to wipe out poverty? Give a conservative a calculator.*

by Jason DeParle

Kitty Kelley needn't fear the competition, but a little-known paperback has just hit the Washington market with a dramatic real-life story. The *1991 Green Book** is a 1,641-page compendium of social welfare statistics put together by staff members of the House Ways and Means Committee—the 11th annual volume, and the largest to date. In the past, the book was of interest mainly to a select group of squinchy-eyed policy analysts who combed its bar charts and shrunken type looking for revelations. What's interesting about this year's volume is that it has drawn a counterattack from several conservatives in Congress, who first tried to stop the book's publication and then sent out mock warning labels calling the book "hazardous to economic health."

Led by Rep. Richard Armey, a Texas Republican with a doctorate in economics, they argue that it's a cooked book—a collection of phony statistics ginned up by Democratic staff members to paint a misleading portrait of inequality in America and justify the twin goals of Big Government and High Taxes. With as many charts and graphs as the *Green Book* contains, it's not hard to find a statistical nit to pick. But what's finally striking about the volume is how solid a case it makes for the old liberal concerns about equality and opportunity. Leave aside for a moment the question of liberal solutions—what the book does is show that the nation has a lot of work left to do to make the words "and justice for all" anything more than a vacant slogan. Read the *Green Book* as a novel and you have *Les Miserables*—a story of the rich growing richer and the poor succumbing to all manner of woes.

While the *Green Book* covers an endless number of topics—from food stamps to homelessness, Medicare to child care—what angers

*Jason DeParle is a reporter for* The New York Times.

**1991 Green Book: Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means. U.S. Government Printing Office, $34.*



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its critics are the tables that show increasing inequality in the distribution of American income. This is no accident. Democrats played the "fairness issue" with great success during last fall's budget debates, scuttling Republican proposals by portraying them as sop-the-poor measures. And the Ways and Means aide who churned out those analyses during the budget debate, Wendell Primus, happens to be the *Green Book*'s primary author. Calling the book a "database for demagogues," Rep. Armey says that it is the foundation "for the whole fairness debate that the left wing of American politics tries to use." What's more, as university professors increasingly consult it as a reference, he says, its "Marxist, class-conflict" perspective will filter down to American youth and build "a lot of misinformation into our young people's understanding of their own nation."

Along with Republican Senators William Roth and Connie Mack, Armey has sent out a "*Green Book* Correction Quiz," designed to show the flaws in the Democratic stats. Four of the six items he cites are merely typos, hardly surprising in a volume this large. And even though Armey argues that all the seemingly innocent mistakes "shoot to the Left," two of the four don't exaggerate inequality, they understate it.

His more substantive argument is that, relying on data from the Congressional Budget Office, the *Green Book* exaggerates inequality by failing to account for inflation when figuring capital gains. That is, if George Herbert Walker Bush bought $1,000 worth of stock in 1977 and sold it for $1,500 in 1990, the budget office, using IRS data, would count that as a gain of $500 when in fact it's really a $657 loss. Fair enough—when the table shows that the top 1 percent of American families more than doubled their real incomes between 1977 and 1988, it overestimates how much they really gained on some of those stock transactions. (The poorest fifth of American families *lost* 13 percent, the book says.)

But then again, the table counts only the stocks that got cashed in. If data existed to measure the increased value of "unrealized capital gains"—the stocks, cars, vacation homes, artworks, and jewels that are still in portfolios—the rich would look even richer. Even more to the point, the incomes of the richest 1 percent more than doubled even when capital gains are left out altogether. Their wages and salaries rose by 120 percent from 1977 to 1988, while those of the other nine-tenths of American society actually fell by 3.5 percent. And those are just the figures on income. Studies of the concentration of all accumulated wealth show much greater disparities, with the top 1 percent of the population owning between 20 and 30 percent of the nation's net assets.

Armey has a point when he argues that the data on inequality can be easily jiggered for partisan reasons. Depending on the years chosen, the growth in inequality can look smaller or larger. In some periods, the rich got richer and the poor got poorer. In others, the rich got richer and the poor also got richer—though much more slowly. But what really isn't in dispute is that the gap between the rich and poor has grown. "I think most analysts would agree that there's an increase in inequality," said Marvin Kosters, the head of economic policy studies at the American Enterprise Institute, a think tank with little interest in fomenting class conflict.

## Green achers

Now, as always, there is a debate about who bears the blame for poverty—the poor or the rest of us. The answer, of course, is often both, and in social policy circles there's been much recent talk about a new consensus of mutual obligation: that the poor deserve more help and that society has a right to set certain standards of effort. Ironically, although it's being tagged as a liberal tool, the *Green Book* offers plenty of information that suggests conservatives have been right to worry about the behavioral components of poverty. Worried about family disintegration? The *Green Book* shows that a full quarter of white children—and a stunning 64 percent of black children—are being born to single mothers. (And half of the nation's female-headed families live in poverty.) Concerned that welfare is a trap? The book suggests that you ought to be, since 65 percent of those on welfare at any time will stay there for at least eight years.

But what may be more disturbing is the story the book tells about average Americans who are doing the right things, like working and staying in school, and slipping nonetheless. It's not just the bottom fifth of American society that lost ground from 1977 to 1988. Real after-tax income for the middle fifth dropped 7 percent. And in the past 10 years the number of families with someone working three-quarters time or more, but still remaining in poverty, grew 46 percent.

Here's a surprising figure: While the percentage of whites and hispanics who neither finish high school nor pass an equivalency exam has stayed stagnant for the past 20 years, the percentage of blacks without a high school education has dropped by half. In 1970, 28 percent of blacks between the ages of 16 and 24 failed to get degrees; by 1989, the figure had fallen to 14 percent.

But what do those students who've stuck it out and stayed in school have to show for it? Increasingly little—less, in many instances, than the dropouts who preceded them a generation ago but who had steel mills and assembly lines to fall back on. In 1973, 16 percent of those blacks who finished high


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school had earnings defined as low (less than $12,000 in 1987 figures). By 1987, 37 percent of black high school graduates were earning that little.

Put aside for a moment the cacophonous questions of blame—who's doing his part and who isn't—and listen to what we know about the kinds of lives that American children are inheriting. After bottoming out in 1969, child poverty rates have soared. A decade ago, the United States and Canada were vaguely comparable in this regard—10 percent of Canadian children were poor, while 15 percent of American children were. By the mid-eighties, Canada had cut its child poverty rate a notch, to 9 percent, while the American rate ballooned to more than 20 percent. The *Green Book* offers five wildly varying ways to count the number of homeless children in America. But who can read that chart and not worry that, by whichever number chosen, something in this country has gone awfully sour?

## Feint by numbers

Washington values cleverness more than wisdom. It now contains a subculture of clever policy analysts who excel at explaining away the plentiful evidence of meanness in American life. "There are those of us who think there ain't too much to do," was the way one domestic policy consultant to the White House explained it to me not long ago. Oddly enough, this brand of "what problem?" politics is thriving alongside its exact opposite—Jack Kemp's version of bleeding-heart conservatism, which, whatever else may be said of it, cannot be accused of pretending poverty away.

One source of Washington's see-no-evil thinking is the Heritage Foundation, which despite making some serious contributions to Kemp's cause, both through ideas and personnel, also delights in studies meant to debunk such alleged liberal shibboleths as the shortage of low-income housing. ("Heritage Study Says Housing Shortage is Washington Fiction," the press release said.) When the Census Bureau reported last fall that 13 percent of the population, or 32 million Americans, fell below the poverty line, Heritage responded with a "backgrounder" scoffing at the figure and arguing that 22,000 of those so-called poor people actually owned heated swimming pools or jacuzzis—an assertion that Robert Rector, one of the paper's authors, then repeated on the op-ed page of *The Wall Street Journal*. The Heritage study ended by likening the Census Bureau's report to a Soviet-style disinformation campaign.

A skeptical researcher at the Center on Budget and Policy Priorities, a think tank with liberal leanings, decided to investigate. The researcher, Ed Lazere, found that Heritage produced the 22,000 figure by taking an Energy Department survey that had found four such households in a survey of 1,000. Heritage then devised a formula for extrapolating for all poor families. Rector said he used a formula that can correct for the tiny sample size and argued there's a 98 percent probability that the 22,000 figure is correct. Wendel Thompson, the Energy Department official who managed the study, said this is statistical malpractice—"we don't think you can make any estimate at all from our survey." But go ahead and take the Heritage number at face value, and it still only amounts to 0.2 percent of the poverty population. Some people might think that leaves the glass 99.8 percent empty; Heritage prefers to argue that it's 0.2 percent full.

Heritage does have a point if it wants to argue that any measure of poverty is subjective. Count as income the value of noncash benefits like subsidized housing, and the number of poor people falls; subtract the amount of taxes they pay, and the number rises. Indeed, the Census Bureau offers 27 experimental measures of poverty in addition to its official one, showing poverty rates as low as 7.6 percent or as high as 20.3 percent. Choose whatever measure you want and you'll come up with a different figure.

But you'll also come up with poverty—and no shortage of it. After some of these debunking studies, one begins to wonder what kind of world these analysts are living in. Do they really think that poverty in America is the creation of some sneaky liberal statistician? That the homeless people they step over on the way to work slink off at night to Montgomery County jacuzzis? What's next—a study showing how infant mortality reduces family food costs? This is the kind of government-by-phony-anecdote stuff that Ronald Reagan used to feed on, the social policy equivalent of the argument that smog comes from trees.

## Mississippi yearning

One thing that makes this game possible is that few Washington poverty experts spend any time with poor people, who are almost always more complicated and compelling than the theories about them. Currently, some Washington experts argue that America's infant mortality problem isn't really as bad as it seems because it's largely an "underclass problem"—one driven not by the lack of available care but by the behavior of mothers who drink, take drugs, or otherwise contribute to their own neglect. This, in fact, is often the case, though it will offer little solace to the infants or to the mothers.

Earlier this year, on a trip through the Mississippi Delta, I met a 34-year-old woman named Betty Briggs, whose fifth child, C. L., had just died of pneumonia at the age of six months—another tick on the infant

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mortality count. It is easy to summon from the chaos of Betty's life ample evidence for the behavioral theory of infant mortality. The baby may have died because he was born prematurely after Betty's father shot at her during an argument, causing her to flee and fall; because Betty chain-smoked hand-rolled King Albert cigarettes throughout her pregnancy; because she failed to keep him away from her own mother when she contracted pneumonia, exposing him to the contagion that killed him. Of course, it's possible, too, to set the drama of C. L.'s death on the larger stage of mean Mississippi history, since the inheritance of several centuries' unadorned subjugation played as large a role as the virus—the sharecropper life that sent Betty's mother moving from shack to shack; that pushed Betty from school after sixth grade; that killed 5 of her 12 siblings in their infancy.

Betty herself is a sweet and passive woman who was born with a crossed eye and has lost about half her teeth. She smiles at strangers but says little. It took two visits before she let on that she hides her only remembrances of C. L.—five dim Polaroids of his crib-sized casket—inside a hollowed-out compartment in a stereo receiver, beneath a potted plant, so that she won't be tempted to look at them. When she gets up at night to use the bathroom, she is more maternal than awake, and she looks toward his room to see if he's all right. "I feel like dying myself," she says, staring at the floor. "It entered my mind that God might want to punish me for something I didn't do right. Every time I look at the pictures, I cry."

Washington needs conservative analysts to keep its liberal analysts honest, and vice versa. But the energy now being invested in explaining away the suffering of a nation of Americans like Betty Briggs would be better spent on finding ways to ease it. □

# Rational Lampoon

## *Finally, P. J. O'Rourke breaks from the right-wing bad boys*

by James Fallows

This is a much better book* than I would ever have expected. Its strengths reflect well on the author himself. Its weaknesses are mainly those of a genre O'Rourke has let himself fall into, one he should begin crawling out of as soon as he can.

The genre in question, that of the Right-Wing Outlaw, didn't even exist 15 years ago. During the generation or two before that, to be a cultural outlaw was to be a left-winger. Gore Vidal and Norman Mailer, Allen Ginsburg and Jack Kerouac, Hunter S. Thompson and Michael Herr, John Lennon and Mick Jagger and the music world in general, they all implied that to be sexy and clever you also had to be on the left. The Young Republicans of those days were the overearnest strivers who wore neckties to college classes and later got hauled up before the Watergate committees. Right-wing activists tended to resemble Ayn Rand or Pat Buchanan or Jeane Kirkpatrick or Jack Kemp. That is, they were forceful and tireless but not exactly blessed with the light touch.

Hollywood still seems to operate on the liberalism-equals-sex-appeal principle. Warren Beatty, Madonna, Spike Lee, and Jack Nicholson are all flashy. Charlton Heston, he of the NRA ads, is not. But things have certainly changed in the journalistic and political worlds. Tom Wolfe came out of the closet as a right-winger in the early eighties to become the first flashy conservative. *The American Spectator* made fun of, rather than moralized about, Jimmy Carter and Walter Mondale. College newspapers like the *Dartmouth Review* and overaged collegians like the editorial writers of *The Wall Street Journal* specialized in being wiseguys. Lee Atwater playing blues guitar represented Right-Wing Outlaw style at its peak.

## Buffalo soldier

P. J. O'Rourke, who started out being a general-purpose outlaw as editor of the *National Lampoon*, has positioned himself as a right-winger for the past few years. He uses drugs but is against welfare. He loves it when the Republicans win but loves to make fun of them. (He says in this book that at the 1989 inaugural ball, Marilyn Quayle's chignon hairdo made her "look considerably less like a Cape buffalo than usual. . . . I have an idea that—like the Cape buffalo—if Marilyn

*James Fallows is the Washington editor of* The Atlantic *and a contributing editor of* The Washington Monthly.

* *Parliament of Whores: A Lone Humorist Attempts to Explain the Entire U.S. Government.* P. J. O'Rourke. *The Atlantic Monthly Press, $19.95.*



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gets furious and charges, you've got only one shot at the skull. You wouldn't want to just wound her.") The notion behind *Parliament of Whores*, apart from the idea that O'Rourke might combine some of his old magazine pieces with new reporting, is that the book will give a tour of the government and public policy that is conservative and funny at the same time.

The book is, indeed, very funny. What's more surprising is that so much of it is smart. Perhaps I'm overreacting, as with Samuel Johnson and the talking dog. It is so amazing to find that O'Rourke is serious and sophisticated about any governmental issue that it's tempting to forget the countless other issues about which he makes cheap-shot jokes. Still, the half or so of this book that is very strong shows that O'Rourke's main literary virtue is like Tom Wolfe's. That virtue is not showy writing nor glee in ridiculing leftist poseurs but a willingness to go out and look at things rather than sit home and work out bons mots. The most annoying trait of Right-Wing Outlaws in general is a lazy incuriosity about the real world. They know their lines, they're sure who the good guys and bad guys are. Therefore they view the passing world as a kind of animated *Bartlett's Quotations*—that is, as handy source material with which to illustrate, rather than challenge, preconceived views. Yes, everybody acts this way sometimes. But the very success of conservatism has made it quite complacent. When you read editorials in *The Wall Street Journal*, you sense, as with the Vatican Curia, that no conceivable event in the factual world could shake the cardinals' faith in their doctrine. One of the most successful (and funniest) current conservative outlaws, the radio talk-show host Rush Limbaugh, is happy to admit that his "research" consists of taking items off the newswire to fit his pat theories about animal rights, the Kennedy family, and so on.

P. J. O'Rourke, on the other hand, has spent a lot of time watching, listening, and apparently developing his views on the basis of what he sees and hears. The book is full of anthropological observations about the realities of daily life that make bureaucrats and reporters behave the way they do. "Numerous demonstrations, marches, PR stunts, and other staged events are held in Washington to give journalists an excuse for not covering real events, which are much harder to explain," he says. "Being in the White House press corps is essentially ceremonial. It entails—as all ceremonial roles do—ceaseless repetition, stultifying dullness, and swollen self-regard." This is not the first time such ideas have appeared in print—it's more like the 1,000th time, if you count the previous 999 mentions in this very magazine. Nonetheless, O'Rourke's view is an improvement over the usual right-wing moaning about pinko reporters.

In the same press-critic vein, O'Rourke says that "Peshawar was the principal Afghan war 'listening post,' which is journalese for 'place that's close, but not too close, to the action and has bottled water.' " This is imprecise; in reality, "listening post" means "place where at least one hotel has a bar, a swimming pool, and a staff that speaks English." Even in the inexact form, the concept will be familiar to *Washington Monthly* readers. But it is nice to see the lights going on in other parts of the political world.

## Floored

O'Rourke's most intriguing excursion into political realities, and the one that shows most clearly how his experience as a reporter can shape his views, concerns Congress. The official conservative line about Congress, of course, is that it's a craven and unprincipled body, afraid to do anything except spend other people's money. It is easy to imagine O'Rourke writing just such a screed, especially since he includes a few of them in this book. But he also decided to see how a congressman actually spends his day. He accompanied one, whom he does not name, through a typical midweek schedule: two breakfast meetings; a hearing at 9:30 and another at 10; a baffling session on the floor; rushed meetings with constituents; cram-session briefings on a dozen issues the congressman has never heard of before but on which he must cast a vote. O'Rourke writes:

> Myself, I was completely exhausted by 7:00 and went home, leaving the congressman, 20 years my senior, looking as animated and energetic as a full school bus—shaking hands and trading chat with governors, firemen, ambulance drivers, other congressmen, and even, at one point, his own wife.

This is part of the human comedy of politics, as anyone who has seen it knows. Even those who have not seen it first hand may recognize it from James Boyd's famous " 'Legislate? Who, Me?' What Happens to a Senator's Day," published in these pages 22 years ago. O'Rourke's description of Congress is impressive in several ways. He has focused on the main problem: the tyranny of the politician's schedule that barely leaves anyone time for two consecutive thoughts. He responds to and conveys the basic likability of the typical politician, however unlikable they may be as a class. While the official right-wing line, partly true, is that Congress sucks endless amounts of money into its own preservation and expansion, O'Rourke offers this semi-idealistic view:

> We Americans have struck a remarkable bargain. We pay $566,220 a year—less than a dollar apiece—for a congressman and his staff, and in

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return they listen to us carp and moan and fume and gripe and ask to be given things for free. Because this is, in the end, what legislators do. They listen to us. Not an enviable task.

Apart from all this, O'Rourke manages to explain the S&L fiasco with clarity, describes what it is like to go with the police on a drug raid, makes the right points about why farm programs and Social Security waste so much money, and inveighs against the American Association of Retired Persons for its greedy opposition to Medicare reform. I ended up with the wholly unanticipated feeling that, if O'Rourke went out and seriously boned up on a subject, he'd react with insight and, relatively speaking, good sense.

So what's the problem with this book? O'Rourke hasn't been as thorough in reporting every subject as he has with Social Security or the daily grind of a congressman's life. When he lacks reporting, he falls back on wisecracks and pat attitudes, and when forced to choose between making a joke and conveying a less snappy truth, he usually goes for the laugh.

A minor illustration is his relentless mockery of environmentalism. Yes, there is a pencil-neck, elitist side to the movement, but O'Rourke is pandering to Right-Wing Outlaw doctrine in sneering at the entire concept. He says:

> The average Juan and the average Mobutu out there in the parts of the world where every day is Earth Day, or Dirt and Squalor Day, anyhow, would like to have a color television, too. . . . I wouldn't care to be the skinny health-food nut waving a copy of *Fifty Simple Things You Can Do to Save the Earth* who tries to stand in Juan's way.

This sounds very hard-headed and Wolfe-like, piercing the delusions of the high-minded elite. But O'Rourke has traveled enough in the Third World to know that the average Juan and the average Mobutu are the ones whose lives are really being ruined by environmental problems. The most immediate effect of tropical deforestation, for example, is on the people in Borneo and Thailand who lose their homes and jobs and children when floods roar off denuded hills. The people who have the greatest reason to worry about air pollution are not the residents of Los Angeles but those of Mexico City and Bangkok. The average Juan does want a television and a car and name-brand tennis shoes. But environmental protection affects him in something more than the tooty-frooty way O'Rourke suggests.

The "skinny health-food nut" line represents the way O'Rourke approaches almost any issue that he hasn't gone out of his way to study. His natural instinct is to portray everyone except right-wing wiseguys as being ludicrous members of the Rainbow Coalition. The result is as fair and illuminating as if, say, Alexander Cockburn purported to describe modern Republicanism by profiling David Duke supporters in some Louisiana bayou. O'Rourke can be jolted out of the stereotypes by reporting, which is something. But he falls back into them when there's nothing else to go on.

A larger problem involves the two great pillars of right-wing orthodoxy: welfare, which is to say race, and defense. O'Rourke does not spend a lot of time on welfare, but what he does say is predictable and unconvincing. He takes the post-Charles Murray view that it's all been a mistake and that welfare, by trying too hard to "help" people, actually gives them incentives to fail. The significant point is that he seems to *take* this theory, donning it like a stylish suit, rather than developing it or testing it as he does some other concepts. His distinctive contribution to the welfare debate is to claim that he's been there himself and knows how corrupting charity can be:

> My own family was poor when I was a kid, though I didn't know it; I just thought we were broke. My father died, and my mother married a drunken bum who shortly thereafter died himself. Then my mother got cancer. . . . But I honestly didn't know we were poor until just now, when I was researching poverty levels. . . . What we managed to escape in 1966 in Squaresville, Ohio, was not poverty. We had that. What we managed to escape was help.

O'Rourke goes on to say that he was saved by the stuffiness and intolerance of neighborhood values in the bad old unprogressive days. No one coddled or "understood" this distressed family. Everyone was expected simply to shut up and behave. So should it be today. Maybe I'm being unfair, but O'Rourke's recounting of this experience, which is out of character with almost everything else in the book, sounds fishy to me. It seems like a convenient, Reaganesque rendering of family history, drawn to neatly fit the current right-wing line. At the same time, it's an attempt (like Peggy Noonan's in her autobiography) to mau-mau his fellow Republicans and many Democrats: Look, don't tell me about the culture of poverty; I was part of it while you were summering in Maine. Perhaps O'Rourke is being completely sincere, and I'm the one who's being too cynical. But when Russell Baker described a very similar childhood predicament in *Growing Up*, it was impossible to doubt that it affected Baker just the way he said it did. Without announcing it directly, Baker showed that his family's misfortune in the Depression permanently altered his view of the chanciness of life. He saw some families survive and some sink for reasons that were more or less accidental. In one family, the father got sick or was laid off. In another, the father kept his health and,


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even more luckily in those years, kept his job. After an experience like that, it was hard for Baker to view the world with a steely, moralistic sense that people high and low fully "deserved" their stations in life.

It is possible to have such an experience and not reflect on it. Ronald Reagan, who had a truly hard-luck childhood, seemed to be more affected by his own fantasized versions of his past. But if P. J. O'Rourke, who unlike Reagan responds very acutely to experience, grew up poor, as he says, it is strange that it had no apparent effect other than to make him embrace right-wing orthodoxy about welfare programs. On the basis of this book, it did not shake his complacency about the deserving rich and undeserving poor.

## Mild at heart

There is something more than fishy in his view of defense. If O'Rourke really wanted to be an outlaw, he'd make fun of the unending victory parades and We're-Number-One celebrations that followed the Gulf war. He takes just the opposite approach. The only budget he really likes is for the Pentagon, and he makes a little joke about it this way:

> The best and final argument against cutting defense spending cannot be put into words. It's visceral, hormonal. It is that excitement in the gut, the swelling of the chest, the involuntary smile that comes across the face of every male when he has a weapon to hand.

This is a nice, roguish-sounding line. The strange thing is, as Lloyd Grove pointed out in *The Washington Post*, it was written by a man who, when he had a chance to put "weapon to hand" in Vietnam, avoided service by producing a doctor's letter saying that he used marijuana, mescaline, and LSD too often to be draftable.

P. J. O'Rourke is not the only male who is intrigued by weapons, or the only one who didn't want to go to Vietnam, or the only one for whom both statements are true. He is far from the only one, especially among the right-wing "chickenhawks," who finds the juxtaposition of these facts inconvenient now. But it is, well, shameful for O'Rourke to wisecrack his way around this subject, especially in a book saying that Americans don't take actions and their consequences seriously enough, that we live in a "well-padded little universe, a world with no sharp edges or hard surfaces."

Wisecracks and conventional wisdom are ways of avoiding the hard surfaces. In the many parts of this book that are good, O'Rourke has shown that he doesn't need to rely on these devices anymore. □


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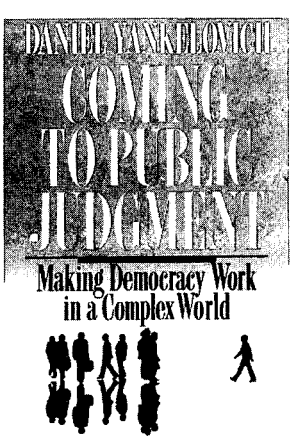


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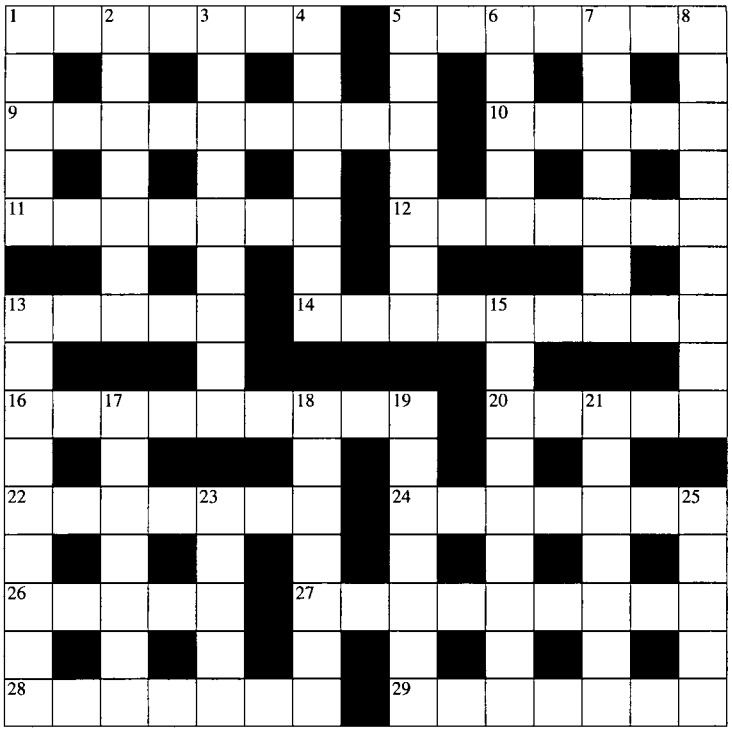
# POLITICAL PUZZLE

## by John Barclay

The numbers indicate the number of letters and words, e.g., (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word.



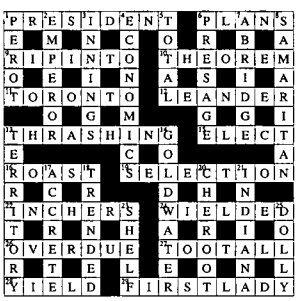
### ACROSS

1. Somehow Y=2 in Washington. (7)
5. Lack of distinction is source of distinction in the end. (7)
9. Caen ruins reconstructed for protection. (9)
10. Mediterranean island distinguished in panic or futility. (5)
11. Rome blown up in explosive agony. (7)
12. Disintegrating giant star in Wagnerian epic. (7)
13. More than one spoke of Republican's second year? (5)
14. USSR once aired USSR broadcast. (3, 6)
16. Cell 10—it distributed reasoning power. (9)
20. Charges and discharges! (5)
22. Experimenter locks military intelligence in lidded box. (7)
24. Nosing around garage door opener for heads. (7)
26. Nothing followed by nothing makes a nice shape. (5)
27. Awfully right name for unpleasant event. (9)
28. See AIDS spread as malady. (7)
29. Old possessive designer returns to site of Bush problem. (7)

### DOWN

1. Simple leave around end of June. (5)
2. Idiot, badly rude, is still supremely confident. (7)
3. Unpleasant restaurant check for a pelican? (5, 4)
4. Washingtonian carefully trained rose ant. (7)
5. What Spanish deer arranged blew deal apart. (7)
6. Tosca performed for racing set. (5)
7. Art is in bad weather for the present. (2, 5)
8. Chewing gum annoys fancy describer. (5, 4)
13. Disregarding order, ruin a cold omen. (9)
15. Distasteful State University of New York light focused. (9)
17. Senior taking in Rome returns after tea with shakes. (7)
18. Ten shuffled twice following Europe's leader for alliance. (7)
19. Thing to wear for the evening. (7)
21. Metropolis with fancy past? (7)
23. Asian country coming back in to aid Nigeria. (5)
25. Place for setting up dates. (5)

*Answers to last month's puzzle:*

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# POLITICAL BOOKNOTES

**Marion Barry: The Politics of Race.** Jonathan I. Z. Agronsky. *British American Publishing, $21.95.* While this book is not a clunker (and it easily could have been, considering how quickly it was written), it succeeds only in the modest goal of recounting Barry's rise and fall—a swell, if overly familiar, story. The shy son of a Mississippi maid abandons his chemistry career to join the civil rights movement, perfects the mau-mauing of whites, exchanges his dashiki for a pin-striped suit, and then scratches backs (and stabs them) to become one of America's most powerful mayors. Now tell me something I don't know. Tell me what made Barry run.

When it comes to Barry the man, Agronsky—like the rest of us—is at a loss to explain fully the power, the charisma, the fundamental detachment. Nevertheless, he does accumulate a remarkable catalog of Barry's callousness toward the public he was elected to serve. Some highlights:

➤Hazel "Rasheeda" Moore, the paramour used to lure Barry into the Vista sting, submitted a proposal for a $47,000 city contract months late yet had it approved within days.

➤Barry once threatened to cut funding of the contract unless Moore gave him a blow job.

➤Restaurateur Hassan Mohammadi and attorney Lloyd Moore, both of whom owned businesses that received city contracts, supplied Barry with cocaine.

➤Cocaine dealer Lydia Pearson handed Barry cocaine and a job application at the same instant.

Toss in the earlier legal wrangles involving Barry's ex-wife Mary Treadwell and former deputy mayors Alphonse Hill and Ivanhoe Donaldson—all of whom were sentenced to prison for their abuse of the public trust—and a few exhalations of crack seem like nothing. Yet when it came down to it, crack—not corruption or incompetence—was what it took to bring down the mayor.

Though I think the sting stank and the trial was a morality play—two points I wish Agronsky had unambiguously weighed in on—I am glad that Barry is no longer my mayor. A straightforward telling of his actions, which this book provides, certifies that by the end of his reign, Barry's role as mayor—once to protect the poor and disenfranchised of this city—had radically narrowed. Protecting himself and his friends had become a full-time job.

—*Jon Cohen*

**Opening Arguments.** Jeffrey Toobin. *Viking, $22.95* I opened this book


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feeling slightly uneasy. Reading it made me feel decidedly worse.

Jeffrey Toobin, fresh out of Harvard Law School, worked with the team of lawyers headed by Special Prosecutor Lawrence Walsh who prosecuted Oliver North for his role in the Iran-contra scandal. Toobin quit the case and wrote this book after North was convicted on three counts. North later won on appeal; the case now goes back to court.

Toobin wasn't expected to work on the team until the battle was over, but he wasn't expected to work against it, either. In the fight over the release of *Opening Arguments*, Walsh alleged that the book wrongfully leaked secret grand jury testimony and classified government information. Toobin won at trial and published the book before the Second Circuit could hear Walsh's appeal.

But if the book was absolved in open court, why does it still smell so fishy? For one thing, there's a good argument, not resolved in the prepublication proceedings, that Toobin violated the legal canon of ethics that prohibits the disclosure of information gained in the lawyer/client relationship that would be likely to harm the former client. There's a lot of confidential information in *Opening Arguments*—like all the juicy stuff about trial strategy. Could its release be used to hurt Walsh's ongoing case against North? I found at least one tidbit that could be useful to North, and I know I'm not as good as North's lawyers, Williams & Connolly. Toobin makes so much of W & C ("tenacious in pursuit of any edge"; possessing a "powerful, rhetorical, slashing, and uncompromising" style), he might have figured pieces of his book would show up in their next brief. That's harmful. And unethical.

Was there anything about the book that outweighed the risk of harm to the government's case? No. A smoking gun showing that Walsh's team misused North's immunized testimony before Congress might have been worth it. But there isn't one. There isn't brilliant legal analysis (ethics and crimes are different, Toobin proclaims) or fresh prose (the answers "reeked of falsehood")—even if these would have made the hasty publication worth it. The trial scenes are good (then again, they always are) but not of real value. Toobin doesn't, for example, tell us what, if anything, came out at the trial that wasn't said before the congressional investigating committees.

So what Toobin and his publisher had was a choice: a nice, easy read about dead issues, or a highly saleable tale colored by the rumor of scandal. They unfortunately chose the latter. Unfortunately, that is, for Walsh and his team, and for us, the people, on whose behalf they worked.

—*Marian Riedy*

**Holding Bureaucrats Accountable: Politicians and Professionals in St. Louis**. Lana Stein. *University of Alabama Press. $19.95.* Lana Stein makes another pass at the taxing question of how to make bureaucracies responsible to elected officials. Is it through patronage, detached civil servants, or wholesale reform of the rules? Some of what Stein *shows* is hopeful; what she says, however, is not particularly helpful.

St. Louis is a relatively "unreformed" city where the politicians have had more leverage than the bureaucrats—a phenomenon institutionalized when the merit civil service system was created in 1941. Since that time, the city's mayors have regained some lost ground by setting up new agencies outside the merit system and applying political pressure on the old agencies to hire favored (but qualified) constituents.

Stein has carefully scrutinized the St. Louis bureaucracy, distinguishing those agencies that are responsive to elected officials from those that are not. On the responsive side, for example, she cites the Traffic Division of the Department of Streets, which has erected about 1,000 four-way stop signs (compared to 34 in Kansas City) because the aldermen, responding to parents concerned about the safety of their street-crossing kids, demanded them. Similarly, she finds that building inspectors are responsive to aldermen's requests that individual buildings receive priority attention. To tenants worried about unsafe living conditions, that's an important and meaningful gesture.

Police and fire departments, on the other hand, are notoriously intractable bureaucracies. (Stein notes that in 1961, when New York Mayor Robert Wagner decided public housing areas needed more police patrols, he received a letter stating, "I, as police commissioner, having sole responsibility under the law for the disposition of the police force, will go on making determinations according to professional police judgment and with reference to the best interests of the citizens as a whole." English translation: Stick it in your ear.) The St. Louis police are under state jurisdiction; the mayor does not appoint the police commissioner and has no jurisdiction over hiring, firing, or promotion; he must wheedle for anything he wants. For their part, the firemen, through their strong union, have been able to manipulate the political environment by getting favorable legislation passed and voting legislators of their choice into office. As a result, the politicians have become accountable to the bureaucracy rather than vice versa. The public is left out of the picture.

It seems that the issue of whether policy is made by elected officials or by the bureaucracy turns simply on who has more muscle. Yet Stein takes little notice of the weapons that give the federal bureaucracy ascendancy over the elected administration in making (or frustrating) policy: the virtually unlimited tenure of the jobholder versus the transitory life of any administration, and the powerful alliances bureaucracies form with their congressional oversight committees and special interest groups. (To be sure, the skill of the White House in building its own alliances can alter the balance of power. The irony in the newly released Nixon tapes is that a president who thoroughly understood how bureaucracy subverts the democratic process and who was determined to do something about it ended up himself subverting the process.)

"Under the right circumstances," Stein concludes, "bureaucrats can be held accountable for good or ill." Given the qualifying phrase, who can argue? Political scientists as far back as Woodrow Wilson have been searching for the "right circumstances." Still, Stein has done an interesting study. As you tell your tennis partner when she retrieves an impossible shot only to hit it into the net, "Good try."

—*Leonard Reed*


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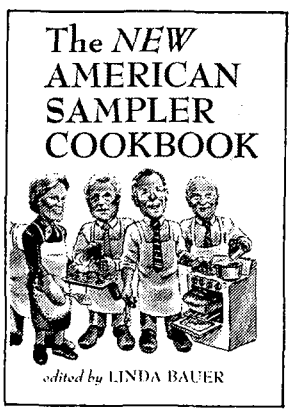

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